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House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. MCGOVERN).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 8, 2019.

I hereby appoint the Honorable JAMES P. MCGOVERN to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2019, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 1:50 p.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

CELEBRATING 100TH BIRTHDAY OF HELEN BARBARA LIVINGSTON

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. MITCHELL) for 5 minutes.

Mr. MITCHELL. Mr. Speaker, I rise today to celebrate the 100th birthday of Helen Barbara Livingston, who lives in Macomb County.

A person experiences a great deal in 100 years of life. In 1919, when she was born, Prohibition went into effect, the pop-up toaster was invented, unemployment was 1.4 percent—if you can believe that—and the Grand Canyon became a national park. Helen experienced the Great Depression.

She has seen over 40 percent of the history of this Nation. She has experienced 18 U.S. Presidents, from Woodrow Wilson, when she was born in 1919, to President Trump. Suffice it to say, she has seen a great deal of change in national and local politics in her life.

She was born in Niagara, New York, and came to Michigan at age 6 when her dad got a job, amazingly enough, in the auto industry at a Dodge plant in Hamtramck, Michigan—the reason so many people move to Michigan to build cars and trucks for America.

Helen attended Hamtramck High School and was an incredible athlete. She was captain of the field hockey team and played tennis, where she never lost a match in 4 years.

During Helen's senior year in high school, Eleanor Roosevelt visited her school to promote women in sports, and Helen presented her with a bouquet of roses. A short time later, she received a handwritten letter from the First Lady.

She met her husband working at Parke-Davis labs, and for their first date, they drove 5 hours to Hartwick Pines. Now, there is an effort. That was the start of a 59-year marriage.

After being a stay-at-home mom for 12 years, when her kids were a little older, Helen started working at Macomb County Youth Home for juvenile delinquents. She worked there until she retired.

Helen has been an avid golfer. She has two holes-in-one, most recently, when she was 80 years old. There are many golfers, including many golfers in this Chamber, who are envious of that achievement.

Even as she got older, Helen continued to seek out fun. A few years ago, she was in a grocery store and ended up starring in a national Mike's Hard Lemonade commercial. To be honest, she didn't realize what Mike's Hard Lemonade was.

I join her family, friends, and the entire community in celebrating an incredible 100 years of life and wish her many more.

REAL-LIFE STORIES OF MY CONSTITUENTS AFFECTED BY THE GOVERNMENT SHUTDOWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, I rise today, a really sad milestone of, really, failure on day 18 of a partial government shutdown that is affecting 25 percent of the Federal Government.

I am rising today to share some of the real-life stories of some of my constituents in eastern Connecticut who are affected by this shutdown, which, again, today, we are now officially 1 day past the length of the 2013 shutdown of 17 days. On Sunday, if this is not fixed and ended, it will actually be the longest shutdown in American history, surpassing the 1994 shutdown.

Mr. Speaker, today, I got a letter from James of Waterford, Connecticut:

I am a State Department employee assigned to the U.S. Embassy in Kabul, Afghanistan. I have been a DOS employee since 2003.

I live and work every day in a dangerous environment in support of U.S. foreign policy. In Herat, Afghanistan, in 2013, I was shot at and blown up in an attack by the Taliban on the U.S. Consulate. In Belgrade, Serbia, in 2008, I was trapped in the burning U.S. Embassy during protests against Kosovo independence while I protected and destroyed classified information.

I support our government's policies in difficult environments, and I expect my government to meet their commitment to me and my family.

Jeremy of Colchester, Connecticut, who works for the Coast Guard:

Please work to pass a bill to fund the government, including employees' salaries of the Coast Guard, which are, again, part of the Department of Homeland Security. My

family cannot go indefinitely without pay, nor should they have to.

And he is absolutely right.

Kate of Chester, Connecticut:

I am a U.S. Department of Agriculture employee. I have been an employee of the USDA for 15 years at the Plum Island Animal Disease Center.

That is off the coast of Long Island Sound, where they do amazing research in terms of animal health and public health.

If there is not a resolution and end to this shutdown soon, my financial situation will force me to choose which bills to pay.

Robert of Stafford Springs, Connecticut, who actually works for a regional craft brewery:

I depend on the ATF, the Alcohol, Tobacco, and Firearms, to approve license applications, formulas and labels for beers—delicious beers, by the way—that we brew and sell. Every day that this passes without a shutdown ending is another potential day of lost sales.

Ethan of Niantic, Connecticut, who works at the Coast Guard Academy, where they are building the leaders of tomorrow for this country. He has been part of the faculty for the last 11 years.

Personally, without earning a paycheck, we will find paying for groceries, mortgage, utilities, childcare, and other essentials, nearly impossible. As the government shutdown lingers on, I become increasingly concerned how it will impact my family.

Brian Krampovitas, I met with him this morning in my office. He is one of the air traffic controllers at Bradley Field in Hartford, Connecticut. They have 40 employees who are working without pay, 10-hour shifts, making sure that the planes take off and land safely. And again, the stress level, because they have no support staff, is growing more and more intense for people who are doing incredibly important work, guaranteeing the safety of this country.

Again, just as a way of a recap, last week the new Congress was sworn in. Within 2 hours, we passed H.R. 21, which fully funded the American Government, which would have ended this shutdown last week, again, not with a wild spending bill but one that had already passed in the U.S. Senate with Republican votes.

All MITCH MCCONNELL has to do is bring up that bill, which they have already passed, send it to the President, and with the stroke of a pen, this would end today; and these people who, again, are doing the important work of the American people would not have to be going through the stress and aggravation while they are doing great work to protect our public safety, to represent our country overseas, and to make sure that we have leaders of the future through institutions like the Coast Guard Academy.

Again, we are going to hear a speech tonight. This thing apparently is going to continue to go on. It is unnecessary, it is pointless, and it is hurting the American economy and the American people.

Mr. President, sign H.R. 21.

We can have a debate about border security. There are some things that both sides will agree on in terms of making sure that we get more immigration judges to eliminate the asylum case backlog, to boost enforcement of port of entry where fentanyl and dangerous drugs are coming through; and we can have a serious debate about whether or not it is sensors and drones, boots on the ground to make sure that those areas that are more remote get more protection, but lengthening this shutdown and hurting people who have absolutely nothing to do with the southern border is pointless and hurting people and hurting the U.S. economy.

HONORING OFFICER JOSEPH SHINNERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Utah (Mr. CURTIS) for 5 minutes.

Mr. CURTIS. Mr. Speaker, I rise today to honor the life and sacrifice of one of Utah's finest. Master Officer Joseph Shinners of the Provo Police Department was, tragically, killed on Saturday night in the line of duty.

At the time, he was responding to assist in the arrest of a dangerous fugitive with a history of violence towards citizens and police officers when he was struck by gunfire and died as a result of his injuries.

Joe leaves behind his loving wife, Kaylyn, and 1-year-old son, Logan.

Mr. Speaker, my heart aches every time an officer is killed in the line of duty, but this one is personal. When Joe made his decision to work for Provo PD, I was his mayor. In a very real way, I feel responsible for his training, his work at Provo City, and his safety. I am deeply saddened by this terrible news.

I stand here on the floor of the House of Representatives, and I speak for the entire Provo community when I say that Joe is a true hero. He gave the ultimate sacrifice to protect us, and we owe him and his family our deepest gratitude.

The chief of the Provo Police Department, Richard Ferguson, described him as intelligent, honorable, hardworking, and one of his all-stars. Chief Ferguson described him as the officer you would like to show up at your door in your crucible moment.

He was born in Boston and graduated high school in Springfield. He grew up in a home that valued and respected public service, with his siblings serving as policemen and his father, a retired fire captain.

During his 3 years of service at the Provo Police Department, he worked mostly in Provo's thriving downtown and on the SWAT team. He also served on the bicycle patrol and as a field training officer.

Most importantly, he was a good man, husband, and father. One of his fellow officers remembered that there was a time that he arrested someone and gave them a hug just as he was arrested to offer them comfort. That was the type of cop he was.

My wife, Sue, and I offer our deepest sympathy to Provo PD, the family and friends of Joe, and hope that they know we will never forget their sacrifice—especially to Kaylyn and Logan.

Our brave policemen and -women face serious potential danger every time they say good-bye to their families and leave their homes to go on patrol, and they know that it is possibly the last time they see them and it could be their final good-bye.

I take this moment to express my sincere appreciation to all of our Nation's first responders and police officers, but today, especially, to those of Provo City. We love you, respect you, and thank you.

DECEPTIVE PRACTICES AND ELECTION DAY HOLIDAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. MCEACHIN) for 5 minutes.

Mr. MCEACHIN. Mr. Speaker, today I rise in support of H.R. 1, the For the People Act, and the need for Federal election reform.

Mr. Speaker, in the 2016 and 2018 election cycles, we witnessed overt discrimination, disinformation, and intimidation tactics aimed at disenfranchising our most vulnerable friends and neighbors.

Individuals and organizations intentionally aimed to spread deceptive material regarding the time and place of elections, endorsements, and voter eligibility. Moreover, there were also explicit attempts to intimidate voters at the polls.

In my home, the Commonwealth of Virginia, there were reports of a man standing in front of a polling place holding a Trump sign with a barking German shepherd on the roof of his truck, and yet that man broke no laws.

Such efforts can interfere with one of our basic rights as Americans: the right to vote. As such, I am pleased that H.R. 1 includes language from a bill I introduced in the last Congress with then-Ranking Member NADLER, the Deceptive Practices and Voter Intimidation Prevention Act.

This language will prohibit the dissemination of false information regarding Federal elections and prevent efforts to hinder, interfere, or prevent a person from voting, registering to vote, or helping another person to vote or register to vote. We, as Americans, shall make it easier to vote, not harder, and this language will further that goal.

In the same vein, I am equally proud that another bill has been included in H.R. 1, the Election Day Holiday Act, which I cointroduced with Congresswoman ESHOO in the last Congress. As the title suggests, this bill would direct Federal agencies to treat election day as a holiday and urge private employers to do the same.

Going to the polls is among the most democratic of American traditions. Making election day a holiday would honor that tradition, while helping voters to continue it long into the future.

I thank my friend and colleague, Congressman SARBANES, for introducing this historic bill. I thank all of the many Members and stakeholders who have helped shape this bill and who have seen fit to support the measures I have described.

As the name indicates, this bill is for the people, and I look forward to the day when we do the people's work and pass it.

□ 1215

THE CRISIS ON OUR SOUTHERN BORDER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. MARSHALL) for 5 minutes.

Mr. MARSHALL. Mr. Speaker, the crisis on our southern border is very real. When I took the oath to represent the big First District of Kansas, it became my responsibility to put our citizens and their security first. Without secure borders, we cannot ensure our Nation's safety, period.

We have tens of thousands of immigrants filling our entryways every month and, in result; drugs, criminals, and violence spilling into our country. I challenge all my colleagues that are denying this crisis exists to go and see our southern border firsthand, as I did, and it was quite an eye-opening moment.

Last year alone, there were 1.7 million pounds of narcotics—let me say that again—1.7 million pounds of narcotics seized by Customs and Border Patrol. Seventeen thousand adults with existing criminal records attempted to enter our southern border; that is over 40 per day.

But perhaps, Mr. Speaker, the most eye-opening of all, we are now averaging over 1,000 illegal and inadmissible people per day. That is in 1 day, over 1,000 people.

The $5.7 billion the President is asking for is an investment of taxpayer dollars that will pay off for decades.

The fact that some of my colleagues are blatantly ignoring that walls along the border work is intellectually dishonest. According to DHS and U.S. Border Patrol, illegal trafficking has dropped more than 90 percent in places where walls and barriers were built.

It is embarrassing that, even with this evidence, my friends on the other side of the aisle shut down the government because this Congress cannot do its most basic duty to do its job and prioritize our country's safety by funding initiatives that we know for a fact work.

I agree, though, that we cannot stop at border security alone. It is crucial that we also address and fix our very broken immigration system and allow hardworking migrants who want to work hard and raise their families in the United States to come.

There is a right way to do this. There is a win-win-win opportunity. There is a win for border security; there is a win for immigration policy overhaul; and there is a win to reopen the small portion of government which is closed.

I am continually frustrated by the narrative that we can't win for all American parties here in these negotiations. This is an opportune moment to quit kicking the can down the road and actually work together to couple border security priorities with long-term immigration fixes.

As we enter the 17th day of this government shutdown, I will continue to stand for a secure America and hope my colleagues choose an open government over open borders.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 18 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BUTTERFIELD) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

We pause now in Your presence to acknowledge our dependence on You.

We ask Your blessing upon the men and women of this, the people's House, who are settling into new spaces and committees here on Capitol Hill.

As the new session begins, help them and, indeed, help us all to obey Your law, to do Your will, and to walk in Your way. Grant that they might be good in thought, gracious in word, generous in deed, and great in spirit.

Make this a glorious day in which all are glad to be alive and ready to serve You.

May all that is done this day be done for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WATKINS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WATKINS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Kansas (Mr. Watkins) come forward and lead the House in the Pledge of Allegiance.

Mr. WATKINS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE HONORABLE G.K. BUTTERFIELD, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable G.K. BUTTERFIELD, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
January 7, 2019.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
The Capitol, Washington, DC.

DEAR SPEAKER PELOSI: On January 4, 2019, you designated me to administer the oath of office to Representative-elect WALTER B. JONES of the Third District of the State of North Carolina pursuant to House Resolution 22, One Hundred Sixteenth Congress.

Under such designation, I have the honor to report that on January 4, 2019 at Farmville, North Carolina, I administered the oath of office to Mr. JONES. Mr. JONES took the oath prescribed by 5 U.S.C. 3331. I have delivered two copies of the oath, signed by Mr. JONES, to the Clerk of the House of Representatives.

Thank you very much.

Very truly yours,

G.K. BUTTERFIELD,
Member of Congress.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from North Carolina, the whole number of the House is 434.

IN SUPPORT OF UNIVERSAL BACKGROUND CHECKS

(Mrs. MCBATH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MCBATH. Mr. Speaker, 7 years ago, my son was violently torn from my life, a victim of gun violence, a victim of a person who had a gun who should never have received one.

Today, I join my colleagues and former Congresswoman Gabby Giffords to prevent more families from facing the horror and heartbreak wrought by gun violence.

Later today, Congressman KING and Congressman THOMPSON will introduce bipartisan legislation to ensure that no one is able to get a gun from an unlicensed sale without a background check. Background checks empower law enforcement to keep guns out of the hands of criminals and domestic abusers. Quite simply, they save lives.

I am honored to cosponsor this bipartisan legislation for my son, Jordan, and for the safety of every family in this country. I ask my fellow parents, my fellow Members, and my fellow Americans to stand with me today, in support of universal background checks. Together, we will make our communities safer.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

EXPRESSING GRATITUDE TO FELLOW KANSANS

(Mr. WATKINS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WATKINS. Mr. Speaker, many Kansans have followed the path from military to political service, names like Pompeo, Roberts, Dole, and Eisenhower.

I stand on the shoulders of giants. I do so with humility and with gratitude that the people of Kansas have bestowed upon me such an honor.

To my fellow Kansans: I won't let you down.

To my colleagues: We will have our disagreements and our debates. We should. But we should also maintain civility and integrity, and we should work to make the government more efficient, more accountable, and more effective.

God bless the 116th Congress and the great people of Kansas, and may God bless the United States of America.

HARMFUL IMPACT OF THE GOVERNMENT SHUTDOWN

(Ms. PRESSLEY asked and was given permission to address the House for 1 minute.)

Ms. PRESSLEY. Mr. Speaker, I rise today in opposition to the occupant of the White House.

Mr. Trump, you took an oath, just as I did 5 days ago, to protect and defend the Constitution and the American people. Sir, you dishonor that oath. You devalue the life of the immigrant, the worker, and the survivor. I see right through you and so do the American people. This has nothing to do with border security. Your shutdown, another Trump-generated crisis, has brought a tsunami of hurt on the American people.

Today, I rise to lift the voices of the unheard. I rise today on behalf of the families concerned about feeding their children because their WIC benefits will run dry.

I rise today in solidarity with the thousands of workers with calloused hands and broken spirits working for no pay.

I rise today in support of the survivor fleeing violent hands, seeking safety, only to find the shelter door locked because of your shutdown.

I rise today in support of the American people who believe in the promise of this Nation and ask for honest pay for an honest day's work.

Today, I rise as one and I stand as thousands.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President of the United States.

EXTENSION OF CHILD TAX CREDIT TO PUERTO RICO

(Miss GONZÁLEZ-COLÓN of Puerto Rico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, today I introduced the Child Tax Credit Equity for Puerto Rico Act of 2019.

Under current law, in Puerto Rico, the child tax credit only applies to families who are raising three or more children.

In comparison, families living in the mainland are able to use this credit for having even one or two children. Small families consisting of one or two children in Puerto Rico are excluded from receiving this necessary benefit.

The purpose of the child tax credit is to be a tool to help families offset the expenses of raising children and raise themselves out of poverty.

Mississippi has the highest poverty level of any State. Puerto Rico's poverty rate, now at 45 percent, is 178 percent higher than Mississippi.

According to the Census Bureau, the lowest household income of Puerto Rico is $19,000 a year, compared to $43,000 in the State of Mississippi and $61,000, average, in the whole mainland.

This proposal will help Puerto Rico's economy and benefit about 355,000 families and more than 404,000 children in Puerto Rico.

I urge my colleagues to support and pass this bill, and I thank Congressmen JOSÉ SERRANO, FITZPATRICK, and DUFFY for being original cosponsors of this bill.

APPOINTMENT OF MEMBER TO UNITED STATES SEMIQUINCENTENNIAL COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 4 of the United States Semiquincentennial Commission Act of 2016 (Pub. L. 114–196), and the order of the House of January 3, 2019, of the following Member on the part of the House to the United States Semiquincentennial Commission:

Mr. EVANS, Pennsylvania

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 10 minutes p.m.), House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RASKIN) at 4 p.m.

ELECTING MEMBERS TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. JEFFRIES. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 26

Resolved, That the following named Members be, and are hereby, elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON RULES.—Ms. MATSUI and Mr. PERLMUTTER.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

MEDICAID EXTENDERS ACT OF 2019

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 259) to extend the Medicaid Money Follows the Person Rebalancing demonstration, to extend protection for Medicaid recipients of home and community-based services against spousal impoverishment, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 259

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Medicaid Extenders Act of 2019''.

SEC. 2. EXTENSION OF MONEY FOLLOWS THE PERSON REBALANCING DEMONSTRATION.

(a) GENERAL FUNDING.—Section 6071(h) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''and'' after the semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(F) subject to paragraph (3), $112,000,000 for fiscal year 2019.'';

(2) in paragraph (2)—

(A) by striking ''Amounts made'' and inserting ''Subject to paragraph (3), amounts made''; and

(B) by striking ''September 30, 2016'' and inserting ''September 30, 2021''; and

(3) by adding at the end the following new paragraph:

''(3) SPECIAL RULE FOR FY 2019.—Funds appropriated under paragraph (1)(F) shall be made available for grants to States only if such States have an approved MFP demonstration project under this section as of December 31, 2018.''.

(b) FUNDING FOR QUALITY ASSURANCE AND IMPROVEMENT; TECHNICAL ASSISTANCE; OVERSIGHT.—Section 6071(f) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by striking paragraph (2) and inserting the following:

''(2) FUNDING.—From the amounts appropriated under subsection (h)(1)(F) for fiscal year 2019, $500,000 shall be available to the Secretary for such fiscal year to carry out this subsection.''.

(c) TECHNICAL AMENDMENT.—Section 6071(b) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by adding at the end the following:

''(10) SECRETARY.—The term 'Secretary' means the Secretary of Health and Human Services.''.

SEC. 3. EXTENSION OF PROTECTION FOR MEDICAID RECIPIENTS OF HOME AND COMMUNITY-BASED SERVICES AGAINST SPOUSAL IMPOVERISHMENT.

(a) IN GENERAL.—Section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) is amended by striking ''the 5-year period that begins on January 1, 2014,'' and inserting ''the period beginning on January 1, 2014, and ending on March 31, 2019,''.

(b) RULE OF CONSTRUCTION.—

(1) PROTECTING STATE SPOUSAL INCOME AND ASSET DISREGARD FLEXIBILITY UNDER WAIVERS AND PLAN AMENDMENTS.—Nothing in section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) or section 1924 of the Social Security Act (42 U.S.C. 1396r–5) shall be construed as prohibiting a State from disregarding an individual's spousal income and assets under a State waiver or plan amendment described in paragraph (2) for purposes of making determinations of eligibility for home and community-based services or home and community-based attendant services and supports under such waiver or plan amendment.

(2) STATE WAIVER OR PLAN AMENDMENT DESCRIBED.—A State waiver or plan amendment described in this paragraph is any of the following:

(A) A waiver or plan amendment to provide medical assistance for home and community-based services under a waiver or plan amendment under subsection (c), (d), or (i) of section 1915 of the Social Security Act (42 U.S.C. 1396n) or under section 1115 of such Act (42 U.S.C. 1315).

(B) A plan amendment to provide medical assistance for home and community-based services for individuals by reason of being determined eligible under section 1902(a)(10)(C) of such Act (42 U.S.C. 1396a(a)(10)(C)) or by reason of section 1902(f) of such Act (42 U.S.C. 1396a(f)) or otherwise on the basis of a reduction of income based on costs incurred for medical or other remedial care under which the State disregarded the income and assets of the individual's spouse in determining the initial and ongoing financial eligibility of an individual for such services in place of the spousal impoverishment provisions applied under section 1924 of such Act (42 U.S.C. 1396r–5).

(C) A plan amendment to provide medical assistance for home and community-based attendant services and supports under section 1915(k) of such Act (42 U.S.C. 1396n(k)).

SEC. 4. REDUCTION IN FMAP AFTER 2020 FOR STATES WITHOUT ASSET VERIFICATION PROGRAM.

Section 1940 of the Social Security Act (42 U.S.C. 1396w) is amended by adding at the end the following new subsection:

''(k) REDUCTION IN FMAP AFTER 2020 FOR NON-COMPLIANT STATES.—

''(1) IN GENERAL.—With respect to a calendar quarter beginning on or after January 1, 2021, the Federal medical assistance percentage otherwise determined under section 1905(b) for a non-compliant State shall be reduced—

''(A) for calendar quarters in 2021 and 2022, by 0.12 percentage points;

''(B) for calendar quarters in 2023, by 0.25 percentage points;

''(C) for calendar quarters in 2024, by 0.35 percentage points; and

''(D) for calendar quarters in 2025 and each year thereafter, by 0.5 percentage points.

''(2) NON-COMPLIANT STATE DEFINED.—For purposes of this subsection, the term 'non-compliant State' means a State—

''(A) that is one of the 50 States or the District of Columbia;

''(B) with respect to which the Secretary has not approved a State plan amendment submitted under subsection (a)(2); and

''(C) that is not operating, on an ongoing basis, an asset verification program in accordance with this section.''.

SEC. 5. MEDICAID IMPROVEMENT FUND.

Section 1941(b)(1) of the Social Security Act (42 U.S.C. 1396w–1(b)(1)) is amended by striking ''$31,000,000'' and inserting ''$6,000,000''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 259.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to express my support for H.R. 259, the Medicaid Extenders Act of 2019. This bill would extend for 3 months the successful Money Follows the Person demonstration and the spousal impoverishment protections for home- and community-based services recipients. These two provisions have helped tens of thousands of people remain in the community with their families and friends while receiving the healthcare and other services that they need.

The MFP demonstration helps people transition from institutional settings to community-based settings so they can live in their homes and maintain their independence, and all of this is possible because the demonstration provides them access to the services in their homes that they would otherwise receive in an institution.

This is a widely used and successful program. Currently, 43 States and the District of Columbia participate. And it has helped over 75,000 people transition from institutions to the community.

I thank my colleagues, Representative DINGELL and Representative GUTHRIE, for their bipartisan efforts to protect this important program. I urge my colleagues to support extending this program as the Energy and Commerce Committee works on a longer-term extension.

Mr. Speaker, I also support extending the protections against spousal impoverishment for beneficiaries receiving home- and community-based services. These protections ensure that people can receive the community-based services they need and that their spouse has enough income and assets to meet their living expenses. This protection expired at the end of last year, and it is vital that we act quickly to reauthorize it.

Without this protection, individuals may lose access to important services or face unnecessary institutionalization. This is a terrible choice for families to make and one that we can prevent by passing this bill. Similar to MFP, this extension will give the committee time to work on a long-term solution.

Mr. Speaker, both of these extensions were passed as part of the continuing resolution in the Senate in December. Unfortunately, since then, a fight has ensued over appropriations funding. While it is my hope that the President will drop his demand for an ineffective and unnecessary wall, I do not want these programs to be collateral damage over that debate.

Both of these programs have bipartisan support and must be extended without delay. I urge my colleagues to support H.R. 259, the Medicaid Extenders Act of 2019.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the Medicaid Extenders Act of 2019, a bipartisan Medicaid package that moves forward House priorities with responsible offsets.

The Energy and Commerce Committee worked to draft this critical legislation before us today. This language passed in the House of Representatives in the last Congress as part of the IMPROVE Act, but in the other body they failed to send the bill to the President's desk. I urge my colleagues in both the House and the Senate to support this important bill.

The package extends funding for the Money Follows the Person demonstration, an effort led by Representatives BRETT GUTHRIE and DEBBIE DINGELL. This Medicaid demonstration, which was established in 2005, has enabled eligible individuals in States across the Nation to receive long-term care services in their homes or other community settings, rather than in institutions or nursing homes. Not only does this increase the comfort and the quality of life for many Medicaid beneficiaries, but it has reduced hospital readmissions and saved money within the Medicaid program.

The funding for this program has already expired, and a funding extension is already long overdue. While we would like to have extended the funding for longer, it was essential to get an extension across the floor, even if it is just for a small period of time.

A 3-month extension for the protection for Medicaid recipients of home- and community-based services against spousal impoverishment is also included. This effort was championed by Representatives FRED UPTON and DEBBIE DINGELL. Our seniors are among our most vulnerable citizens, and it is programs like this one that help protect them from financial ruin.

This program specifically protects married individuals requiring Medicaid-covered long-term services and supports to ensure that they do not have to deplete their financial resources or bankrupt themselves in order to become or remain Medicaid eligible to receive such services.

In an effort to be fiscally responsible, this legislation includes several offsets that make this package on net a saver.

One of those offsets will require States to come into compliance with the Supplemental Appropriations Act of 2008 regarding Medicaid asset verification programs. This 2008 law required States to implement asset verification programs in order to determine or redetermine eligibility, and the Affordable Care Act required such programs to be filed electronically.

Currently, only 33 States have operational programs. This provision will bring the remaining States up to speed by levying a penalty on States that do not have a program in place by 2020. This package contains must-pass provisions that the Energy and Commerce Committee has long fought to pass. The provisions included in this legislation will improve access for Medicaid beneficiaries, which is laudable and an important goal. Not only are these provisions imperative, but they are responsibly offset.

I particularly thank the Energy and Commerce Committee staffer, Caleb Graff, who has spent countless hours negotiating and getting this package to the floor. I support this legislation and urge Members of the House and Senate to do so as well.

Mr. Speaker, I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, I thank the chairman for the recognition and yielding me this time.

Mr. Speaker, I rise in support of H.R. 259, the Medicaid Extenders Act. Our long-term care system is broken. Like millions of Americans, I, too, am a primary caretaker for my husband, and I meet people every single day. I often say taking John to the doctor is like attending a town hall meeting. While we continue to work towards a much needed overhaul of our long-term care financing, we also need to build on and protect existing programs.

The Medicaid Extenders Act includes a 3-month extension of the highly successful Money Follows the Person program. This program provides grants to States to help individuals voluntarily transition from an institutional setting to a community care setting. Money Follows the Person is a win for both the beneficiaries and the taxpayers because the program has demonstrated significant savings over the years while bringing a real-time benefit to people's lives.

The Medicaid Extenders Act also extends spousal impoverishment protections for seniors in Medicaid. These important protections ensure that individuals are not forced to spend down all of their resources, and too many go bankrupt, just to get the care that they need.

However, this bill is just a partial victory. I do hope the House will pass it. Both programs are extended for only 3 months. While this is enough to keep these important programs alive for the moment, we must pass long-term extensions of both programs as quickly as possible.

I will soon be introducing bipartisan legislation to do just that, and I look forward to working with all of my colleagues this year on long-term extensions of these critical programs. I urge my colleagues to join me in supporting H.R. 259.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. GUTHRIE), the primary sponsor of this bill.

Mr. GUTHRIE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of the Medicaid Extenders Act of 2019. The Medicaid Extenders Act of 2019 includes legislation that I worked on, the EMPOWER Care Act, which will extend the vital Money Follows the Person program.

The Money Follows the Person program allows certain Medicaid beneficiaries, such as the elderly or individuals with disabilities, to transition from healthcare facilities to receiving care in their own homes or communities, if they choose to do so. This program empowers patients to choose the care that makes the most sense for them while saving taxpayers money.

Kentucky Transitions, which operates the Money Follows the Person in my home State, has helped hundreds of Kentuckians transition to receiving care in their homes or their communities.

I thank Congresswoman DEBBIE DINGELL for working so hard on this legislation and working together on this bipartisan piece of legislation. I thank the chairman's kind words as he was talking about this legislation. I encourage my colleagues to vote for this bill.

Mr. BURGESS. Mr. Speaker, we have no further speakers. We did pass this bill in this House in December. I urge all Members to support the bill as it goes forward today.

Mr. Speaker, I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, I would also ask that we support this bill on a bipartisan basis without delay.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 259, the "Medicaid Extenders Act of 2019" that extends the ''Medicaid Money Follows the Person'' rebalancing demonstration project.

The "Medicaid Money Follows the Person" demonstration project supports reintegration of persons with special needs into their communities.

Since its creation in 1965, Medicaid has been the largest source of medical and health-related services for Americans with a low income and limited resources.

Over 75,151 people with chronic conditions and disabilities have transitioned from institutions back into the community through "Money Follows the Person" programs as of December 2016.

My home state of Texas was among the first 30 states chosen to participate in the ''Money Follows the Person'' demonstration in 2007.

The ''Money Follows the Person'' demonstration project has helped more than 10,000 individuals transition from institutional to community-based services in the state of Texas.

In the 18th Congressional District of Texas there are 162 nursing homes and out of 162 nursing homes only 67 nursing homes accept Medicaid.

43 percent of seniors in Houston, Texas earn less than $30,000 per year.

Texas has the second largest number of individuals with disabilities of all the states and the percentage of individuals with disabilities in the state of Texas is 11.7 percent.

In the fiscal year of 2016, Health and Human Services has budgeted over $16 million in federal funding to help individuals transition out of nursing facilities, State Supported Living Centers, Intermediate Care Facilities for Individuals with Intellectual Disabilities and other institutions.

The "Money Follows the Person" demonstration project has helped states and the federal government save money. From 2008 to 2013, it generated $978 million in reduced Medicare and Medicaid costs after the first year of transitioning participants to home- and community-based care.

For these reasons, I ask my colleagues to join me in supporting H.R. 259.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 259, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS AND ADVANCING INNOVATION ACT OF 2019

Mr. PALLONE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 269) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 269

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

DIVISION A—PANDEMIC AND ALL-HAZARDS PREPAREDNESS AND ADVANCING INNOVATION

SEC. 100. REFERENCES IN DIVISION.

Except as otherwise specified—

(1) amendments made by this division to a section or other provision of law are amendments to such section or other provision of the Public Health Service Act (42 U.S.C. 201 et seq.); and

(2) any reference to ''this Act'' contained in this division shall be treated as referring only to the provisions of this division.

TITLE I—STRENGTHENING THE NATIONAL HEALTH SECURITY STRATEGY

SEC. 101. NATIONAL HEALTH SECURITY STRATEGY.

Section 2802 (42 U.S.C. 300hh–1) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''2014'' and inserting ''2018''; and

(ii) by striking the second sentence and inserting the following: ''Such National Health Security Strategy shall describe potential emergency health security threats and identify the process for achieving the preparedness goals described in subsection (b) to be prepared to identify and respond to such threats and shall be consistent with the national preparedness goal (as described in section 504(a)(19) of the Homeland Security Act of 2002), the National Incident Management System (as defined in section 501(7) of such Act), and the National Response Plan developed pursuant to section 504 of such Act, or any successor plan.'';

(B) in paragraph (2), by inserting before the period at the end of the second sentence the following: '', and an analysis of any changes to the evidence-based benchmarks and objective standards under sections 319C–1 and 319C–2''; and

(C) in paragraph (3)—

(i) by striking ''2009'' and inserting ''2022'';

(ii) by inserting ''(including gaps in the environmental health and animal health workforces, as applicable), describing the status of such workforce'' after ''gaps in such workforce'';

(iii) by striking ''and identifying strategies'' and inserting ''identifying strategies''; and

(iv) by inserting before the period at the end '', and identifying current capabilities to meet the requirements of section 2803''; and

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking ''and investigation'' and inserting ''investigation, and related information technology activities'';

(ii) in subparagraph (B), by striking ''and decontamination'' and inserting ''decontamination, relevant health care services and supplies, and transportation and disposal of medical waste''; and

(iii) by adding at the end the following:

''(E) Response to environmental hazards.'';

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking ''including mental health''

and inserting ''including pharmacies, mental health facilities,''; and

(ii) in subparagraph (F), by inserting ''or exposures to agents that could cause a public health emergency'' before the period;

(C) in paragraph (5), by inserting ''and other applicable compacts'' after ''Compact''; and

(D) by adding at the end the following:

''(9) ZOONOTIC DISEASE, FOOD, AND AGRICULTURE.—Improving coordination among Federal, State, local, Tribal, and territorial entities (including through consultation with the Secretary of Agriculture) to prevent, detect, and respond to outbreaks of plant or animal disease (including zoonotic disease) that could compromise national security resulting from a deliberate attack, a naturally occurring threat, the intentional adulteration of food, or other public health threats, taking into account interactions between animal health, human health, and animals' and humans' shared environment as directly related to public health emergency preparedness and response capabilities, as applicable.

''(10) GLOBAL HEALTH SECURITY.—Assessing current or potential health security threats from abroad to inform domestic public health preparedness and response capabilities.''.

TITLE II—IMPROVING PREPAREDNESS AND RESPONSE

SEC. 201. IMPROVING BENCHMARKS AND STANDARDS FOR PREPAREDNESS AND RESPONSE.

(a) EVALUATING MEASURABLE EVIDENCE-BASED BENCHMARKS AND OBJECTIVE STANDARDS.—Section 319C–1 (42 U.S.C. 247d–3a) is amended by inserting after subsection (j) the following:

''(k) EVALUATION.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019 and every 2 years thereafter, the Secretary shall conduct an evaluation of the evidence-based benchmarks and objective standards required under subsection (g). Such evaluation shall be submitted to the congressional committees of jurisdiction together with the National Health Security Strategy under section 2802, at such time as such strategy is submitted.

''(2) CONTENT.—The evaluation under this paragraph shall include—

''(A) a review of evidence-based benchmarks and objective standards, and associated metrics and targets;

''(B) a discussion of changes to any evidence-based benchmarks and objective standards, and the effect of such changes on the ability to track whether entities are meeting or making progress toward the goals under this section and, to the extent practicable, the applicable goals of the National Health Security Strategy under section 2802;

''(C) a description of amounts received by eligible entities described in subsection (b) and section 319C–2(b), and amounts received by subrecipients and the effect of such funding on meeting evidence-based benchmarks and objective standards; and

''(D) recommendations, as applicable and appropriate, to improve evidence-based benchmarks and objective standards to more accurately assess the ability of entities receiving awards under this section to better achieve the goals under this section and section 2802.''.

(b) EVALUATING THE PARTNERSHIP FOR STATE AND REGIONAL HOSPITAL PREPAREDNESS.—Section 319C–2(i)(1) (42 U.S.C. 247–3b(i)(1)) is amended by striking ''section 319C–1(g), (i), and (j)'' and inserting ''section 319C–1(g), (i), (j), and (k)''.

SEC. 202. AMENDMENTS TO PREPAREDNESS AND RESPONSE PROGRAMS.

(a) COOPERATIVE AGREEMENT APPLICATIONS FOR IMPROVING STATE AND LOCAL PUBLIC HEALTH SECURITY.—Section 319C–1 (42 U.S.C. 247d–3a) is amended—

(1) in subsection (a), by inserting '', acting through the Director of the Centers for Disease Control and Prevention,'' after ''the Secretary''; and

(2) in subsection (b)(2)(A)—

(A) in clause (vi), by inserting '', including public health agencies with specific expertise that may be relevant to public health security, such as environmental health agencies,'' after ''stakeholders'';

(B) by redesignating clauses (vii) through (ix) as clauses (viii) through (x);

(C) by inserting after clause (vi) the following:

''(vii) a description of how, as applicable, such entity may integrate information to account for individuals with behavioral health needs following a public health emergency;'';

(D) in clause (ix), as so redesignated, by striking ''; and'' and inserting a semicolon; and

(E) by adding at the end the following:

''(xi) a description of how the entity will partner with health care facilities, including hospitals and nursing homes and other long-term care facilities, to promote and improve public health preparedness and response; and

''(xii) a description of how, as appropriate and practicable, the entity will include critical infrastructure partners, such as utility companies within the entity's jurisdiction, in planning pursuant to this subparagraph to help ensure that critical infrastructure will remain functioning during, or return to function as soon as practicable after, a public health emergency;''.

(b) EXCEPTION RELATING TO APPLICATION OF CERTAIN REQUIREMENTS.—

(1) IN GENERAL.—Section 319C–1(g) (42 U.S.C. 247d–3a(g)) is amended—

(A) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking ''Beginning with fiscal year 2009'' and inserting ''Beginning with fiscal year 2019''; and

(ii) in subparagraph (A)—

(I) by striking ''for the immediately preceding fiscal year'' and inserting ''for either of the 2 immediately preceding fiscal years''; and

(II) by striking ''2008'' and inserting ''2018''; and

(B) in paragraph (6), by amending subparagraph (A) to read as follows:

''(A) IN GENERAL.—The amounts described in this paragraph are the following amounts that are payable to an entity for activities described in this section or section 319C–2:

''(i) For no more than 1 of each of the first 2 fiscal years immediately following a fiscal year in which an entity experienced a failure described in subparagraph (A) or (B) of paragraph (5), an amount equal to 10 percent of the amount the entity was eligible to receive for the respective fiscal year.

''(ii) For no more than 1 of the first 2 fiscal years immediately following the third consecutive fiscal year in which an entity experienced such a failure, in lieu of applying clause (i), an amount equal to 15 percent of the amount the entity was eligible to receive for the respective fiscal year.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to cooperative agreements awarded on or after the date of enactment of this Act.

(c) PARTNERSHIP FOR STATE AND REGIONAL HOSPITAL PREPAREDNESS TO IMPROVE SURGE CAPACITY.—Section 319C–2 (42 U.S.C. 247d–3b) is amended—

(1) in subsection (a)—

(A) by inserting '', acting through the Assistant Secretary for Preparedness and Response,'' after ''The Secretary''; and

(B) by striking ''preparedness for public health emergencies'' and inserting ''preparedness for, and response to, public health emergencies in accordance with subsection (c)'';

(2) in subsection (b)(1)(A)—

(A) by striking ''partnership consisting of'' and inserting ''coalition that includes'';

(B) in clause (ii), by striking ''; and'' and inserting a semicolon; and

(C) by adding at the end the following:

''(iv) one or more emergency medical service organizations or emergency management organizations; and'';

(3) in subsection (d)—

(A) in paragraph (1)(B), by striking ''partnership'' each place it appears and inserting ''coalition''; and

(B) in paragraph (2)(C), by striking ''medical preparedness'' and inserting ''preparedness and response'';

(4) in subsection (f), by striking ''partnership'' and inserting ''coalition'';

(5) in subsection (g)(2)—

(A) by striking ''Partnerships'' and inserting ''Coalitions'';

(B) by striking ''partnerships'' and inserting ''coalitions''; and

(C) by inserting ''and response'' after ''preparedness''; and

(6) in subsection (i)(1)—

(A) by striking ''An entity'' and inserting ''A coalition''; and

(B) by striking ''such partnership'' and inserting ''such coalition''.

(d) PUBLIC HEALTH SECURITY GRANTS AUTHORIZATION OF APPROPRIATIONS.—Section 319C–1(h)(1)(A) (42 U.S.C. 247d–3a(h)(1)(A)) is amended by striking ''$641,900,000 for fiscal year 2014'' and all that follows through the period at the end and inserting ''$685,000,000 for each of fiscal years 2019 through 2023 for awards pursuant to paragraph (3) (subject to the authority of the Secretary to make awards pursuant to paragraphs (4) and (5)).''.

(e) PARTNERSHIP FOR STATE AND REGIONAL HOSPITAL PREPAREDNESS AUTHORIZATION OF APPROPRIATIONS.—Section 319C–2(j) (42 U.S.C. 247d–3b(j)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section and section 319C–3, in accordance with subparagraph (B), there is authorized to be appropriated $385,000,000 for each of fiscal years 2019 through 2023.

''(B) RESERVATION OF AMOUNTS FOR REGIONAL SYSTEMS.—

''(i) IN GENERAL.—Subject to clause (ii), of the amount appropriated under subparagraph (A) for a fiscal year, the Secretary may reserve up to 5 percent for the purpose of carrying out section 319C–3.

''(ii) RESERVATION CONTINGENT ON CONTINUED APPROPRIATIONS FOR THIS SECTION.—If for fiscal year 2019 or a subsequent fiscal year, the amount appropriated under subparagraph (A) is such that, after application of clause (i), the amount remaining for the purpose of carrying out this section would be less than the amount available for such purpose for the previous fiscal year, the amount that may be reserved under clause (i) shall be reduced such that the amount remaining for the purpose of carrying out this section is not less than the amount available for such purpose for the previous fiscal year.

''(iii) SUNSET.—The authority to reserve amounts under clause (i) shall expire on September 30, 2023.'';

(2) in paragraph (2), by striking ''paragraph (1) for a fiscal year'' and inserting ''paragraph (1)(A) for a fiscal year and not reserved

for the purpose described in paragraph (1)(B)(i)''; and

(3) in paragraph (3)(A), by striking ''paragraph (1) and not reserved under paragraph (2)'' and inserting ''paragraph (1)(A) and not reserved under paragraph (1)(B)(i) or (2)''.

SEC. 203. REGIONAL HEALTH CARE EMERGENCY PREPAREDNESS AND RESPONSE SYSTEMS.

(a) IN GENERAL.—Part B of title III (42 U.S.C. 243 et seq.) is amended by inserting after section 319C–2 the following:

''SEC. 319C–3. GUIDELINES FOR REGIONAL HEALTH CARE EMERGENCY PREPAREDNESS AND RESPONSE SYSTEMS.

''(a) PURPOSE.—It is the purpose of this section to identify and provide guidelines for regional systems of hospitals, health care facilities, and other public and private sector entities, with varying levels of capability to treat patients and increase medical surge capacity during, in advance of, and immediately following a public health emergency, including threats posed by one or more chemical, biological, radiological, or nuclear agents, including emerging infectious diseases.

''(b) GUIDELINES.—The Assistant Secretary for Preparedness and Response, in consultation with the Director of the Centers for Disease Control and Prevention, the Administrator of the Centers for Medicare & Medicaid Services, the Administrator of the Health Resources and Services Administration, the Commissioner of Food and Drugs, the Assistant Secretary for Mental Health and Substance Use, the Assistant Secretary of Labor for Occupational Safety and Health, the Secretary of Veterans Affairs, the heads of such other Federal agencies as the Secretary determines to be appropriate, and State, local, Tribal, and territorial public health officials, shall, not later than 2 years after the date of enactment of this section—

''(1) identify and develop a set of guidelines relating to practices and protocols for all-hazards public health emergency preparedness and response for hospitals and health care facilities to provide appropriate patient care during, in advance of, or immediately following, a public health emergency, resulting from one or more chemical, biological, radiological, or nuclear agents, including emerging infectious diseases (which may include existing practices, such as trauma care and medical surge capacity and capabilities), with respect to—

''(A) a regional approach to identifying hospitals and health care facilities based on varying capabilities and capacity to treat patients affected by such emergency, including—

''(i) the manner in which the system will coordinate with and integrate the partnerships and health care coalitions established under section 319C–2(b); and

''(ii) informing and educating appropriate first responders and health care supply chain partners of the regional emergency preparedness and response capabilities and medical surge capacity of such hospitals and health care facilities in the community;

''(B) physical and technological infrastructure, laboratory capacity, staffing, blood supply, and other supply chain needs, taking into account resiliency, geographic considerations, and rural considerations;

''(C) protocols or best practices for the safety and personal protection of workers who handle human remains and health care workers (including with respect to protective equipment and supplies, waste management processes, and decontamination), sharing of specialized experience among the health care workforce, behavioral health, psychological resilience, and training of the workforce, as applicable;

''(D) in a manner that allows for disease containment (within the meaning of section 2802(b)(2)(B)), coordinated medical triage, treatment, and transportation of patients, based on patient medical need (including patients in rural areas), to the appropriate hospitals or health care facilities within the regional system or, as applicable and appropriate, between systems in different States or regions; and

''(E) the needs of children and other at-risk individuals;

''(2) make such guidelines available on the internet website of the Department of Health and Human Services in a manner that does not compromise national security; and

''(3) update such guidelines as appropriate, including based on input received pursuant to subsections (c) and (e) and information resulting from applicable reports required under the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019 (including any amendments made by such Act), to address new and emerging public health threats.

''(c) CONSIDERATIONS.—In identifying, developing, and updating guidelines under subsection (b), the Assistant Secretary for Preparedness and Response shall—

''(1) include input from hospitals and health care facilities (including health care coalitions under section 319C–2), State, local, Tribal, and territorial public health departments, and health care or subject matter experts (including experts with relevant expertise in chemical, biological, radiological, or nuclear threats, including emerging infectious diseases), as the Assistant Secretary determines appropriate, to meet the goals under section 2802(b)(3);

''(2) consult and engage with appropriate health care providers and professionals, including physicians, nurses, first responders, health care facilities (including hospitals, primary care clinics, community health centers, mental health facilities, ambulatory care facilities, and dental health facilities), pharmacies, emergency medical providers, trauma care providers, environmental health agencies, public health laboratories, poison control centers, blood banks, tissue banks, and other experts that the Assistant Secretary determines appropriate, to meet the goals under section 2802(b)(3);

''(3) consider feedback related to financial implications for hospitals, health care facilities, public health agencies, laboratories, blood banks, tissue banks, and other entities engaged in regional preparedness planning to implement and follow such guidelines, as applicable; and

''(4) consider financial requirements and potential incentives for entities to prepare for, and respond to, public health emergencies as part of the regional health care emergency preparedness and response system.

''(d) TECHNICAL ASSISTANCE.—The Assistant Secretary for Preparedness and Response, in consultation with the Director of the Centers for Disease Control and Prevention and the Assistant Secretary of Labor for Occupational Safety and Health, may provide technical assistance and consultation toward meeting the guidelines described in subsection (b).

''(e) DEMONSTRATION PROJECT FOR REGIONAL HEALTH CARE PREPAREDNESS AND RESPONSE SYSTEMS.—

''(1) IN GENERAL.—The Assistant Secretary for Preparedness and Response may establish a demonstration project pursuant to the development and implementation of guidelines under subsection (b) to award grants to improve medical surge capacity for all hazards, build and integrate regional medical response capabilities, improve specialty care expertise for all-hazards response, and coordinate medical preparedness and response across State, local, Tribal, territorial, and regional jurisdictions.

''(2) SUNSET.—The authority under this subsection shall expire on September 30, 2023.''.

(b) GAO REPORT TO CONGRESS.—

(1) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States (referred to in this subsection as the ''Comptroller General'') shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate and the Committee on Energy and Commerce and the Committee on Ways and Means of the House of Representatives, a report on the extent to which hospitals and health care facilities have implemented the recommended guidelines under section 319C–3(b) of the Public Health Service Act (as added by subsection (a)), including an analysis and evaluation of any challenges hospitals or health care facilities experienced in implementing such guidelines.

(2) CONTENT.—The Comptroller General shall include in the report under paragraph (1)—

(A) data on the preparedness and response capabilities that have been informed by the guidelines under section 319C–3(b) of the Public Health Service Act to improve regional emergency health care preparedness and response capability, including hospital and health care facility capacity and medical surge capabilities to prepare for, and respond to, public health emergencies; and

(B) recommendations to reduce gaps in incentives for regional health partners, including hospitals and health care facilities, to improve capacity and medical surge capabilities to prepare for, and respond to, public health emergencies, consistent with subsection (a), which may include consideration of facilities participating in programs under section 319C–2 of the Public Health Service Act (42 U.S.C. 247d–3b) or in programs under the Centers for Medicare & Medicaid Services (including innovative health care delivery and payment models), and input from private sector financial institutions.

(3) CONSULTATION.—In carrying out paragraphs (1) and (2), the Comptroller General shall consult with the heads of appropriate Federal agencies, including—

(A) the Assistant Secretary for Preparedness and Response;

(B) the Director of the Centers for Disease Control and Prevention;

(C) the Administrator of the Centers for Medicare & Medicaid Services;

(D) the Assistant Secretary for Mental Health and Substance Use;

(E) the Assistant Secretary of Labor for Occupational Safety and Health; and

(F) the Secretary of Veterans Affairs.

(c) ANNUAL REPORTS.—Section 319C–2(i)(1) (42 U.S.C. 247d–3b(i)(1)) is amended by inserting after the first sentence the following: ''In submitting reports under this paragraph, a coalition shall include information on the progress that the coalition has made toward the implementation of section 319C–3 (or barriers to progress, if any).''.

(d) NATIONAL HEALTH SECURITY STRATEGY INCORPORATION OF REGIONALIZED EMERGENCY PREPAREDNESS AND RESPONSE.—Subparagraph (G) of section 2802(b)(3) (42 U.S.C. 300hh–1(b)(3)) is amended to read as follows:

''(G) Optimizing a coordinated and flexible approach to the emergency response and medical surge capacity of hospitals, other health care facilities, critical care, trauma care (which may include trauma centers), and emergency medical systems.''.

(e) IMPROVING STATE AND LOCAL PUBLIC HEALTH SECURITY.—

(1) STATE AND LOCAL SECURITY.—Section 319C–1(e) (42 U.S.C. 247d–3a(e)) is amended by striking '', and local emergency plans.'' and inserting '', local emergency plans, and any regional health care emergency preparedness and response system established pursuant to the applicable guidelines under section 319C–3.''.

(2) PARTNERSHIPS.—Section 319C–2(d)(1)(A) (42 U.S.C. 247d–3b(d)(1)(A)) is amended—

(A) in clause (i), by striking ''; and'' and inserting '';'';

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

''(ii) among one or more facilities in a regional health care emergency system under section 319C–3; and''.

SEC. 204. MILITARY AND CIVILIAN PARTNERSHIP FOR TRAUMA READINESS.

Title XII (42 U.S.C. 300d et seq.) is amended by adding at the end the following new part:

''PART I—MILITARY AND CIVILIAN PARTNERSHIP FOR TRAUMA READINESS GRANT PROGRAM

''SEC. 1291. MILITARY AND CIVILIAN PARTNERSHIP FOR TRAUMA READINESS GRANT PROGRAM.

''(a) MILITARY TRAUMA TEAM PLACEMENT PROGRAM.—

''(1) IN GENERAL.—The Secretary, acting through the Assistant Secretary for Preparedness and Response and in consultation with the Secretary of Defense, shall award grants to not more than 20 eligible high-acuity trauma centers to enable military trauma teams to provide, on a full-time basis, trauma care and related acute care at such trauma centers.

''(2) LIMITATIONS.—In the case of a grant awarded under paragraph (1) to an eligible high-acuity trauma center, such grant—

''(A) shall be for a period of at least 3 years and not more than 5 years (and may be renewed at the end of such period); and

''(B) shall be in an amount that does not exceed $1,000,000 per year.

''(3) AVAILABILITY OF FUNDS.—Notwithstanding section 1552 of title 31, United States Code, or any other provision of law, funds available to the Secretary for obligation for a grant under this subsection shall remain available for expenditure for 100 days after the last day of the performance period of such grant.

''(b) MILITARY TRAUMA CARE PROVIDER PLACEMENT PROGRAM.—

''(1) IN GENERAL.—The Secretary, acting through the Assistant Secretary for Preparedness and Response and in consultation with the Secretary of Defense, shall award grants to eligible trauma centers to enable military trauma care providers to provide trauma care and related acute care at such trauma centers.

''(2) LIMITATIONS.—In the case of a grant awarded under paragraph (1) to an eligible trauma center, such grant—

''(A) shall be for a period of at least 1 year and not more than 3 years (and may be renewed at the end of such period); and

''(B) shall be in an amount that does not exceed, in a year—

''(i) $100,000 for each military trauma care provider that is a physician at such eligible trauma center; and

''(ii) $50,000 for each other military trauma care provider at such eligible trauma center.

''(c) GRANT REQUIREMENTS.—

''(1) DEPLOYMENT AND PUBLIC HEALTH EMERGENCIES.—As a condition of receipt of a grant under this section, a grant recipient shall agree to allow military trauma care providers providing care pursuant to such grant to—

''(A) be deployed by the Secretary of Defense for military operations, for training, or for response to a mass casualty incident; and

''(B) be deployed by the Secretary of Defense, in consultation with the Secretary of Health and Human Services, for response to a public health emergency pursuant to section 319.

''(2) USE OF FUNDS.—Grants awarded under this section to an eligible trauma center may be used to train and incorporate military trauma care providers into such trauma center, including incorporation into operational exercises and training drills related to public health emergencies, expenditures for malpractice insurance, office space, information technology, specialty education and supervision, trauma programs, research, and applicable license fees for such military trauma care providers.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect any other provision of law that preempts State licensing requirements for health care professionals, including with respect to military trauma care providers.

''(e) REPORTING REQUIREMENTS.—

''(1) REPORT TO THE SECRETARY AND THE SECRETARY OF DEFENSE.—Each eligible trauma center or eligible high-acuity trauma center awarded a grant under subsection (a) or (b) for a year shall submit to the Secretary and the Secretary of Defense a report for such year that includes information on—

''(A) the number and types of trauma cases managed by military trauma teams or military trauma care providers pursuant to such grant during such year;

''(B) the ability to maintain the integration of the military trauma providers or teams of providers as part of the trauma center, including the financial effect of such grant on the trauma center;

''(C) the educational effect on resident trainees in centers where military trauma teams are assigned;

''(D) any research conducted during such year supported by such grant; and

''(E) any other information required by the Secretaries for the purpose of evaluating the effect of such grant.

''(2) REPORT TO CONGRESS.—Not less than once every 2 years, the Secretary, in consultation with the Secretary of Defense, shall submit a report to the congressional committees of jurisdiction that includes information on the effect of placing military trauma care providers in trauma centers awarded grants under this section on—

''(A) maintaining military trauma care providers' readiness and ability to respond to and treat battlefield injuries;

''(B) providing health care to civilian trauma patients in urban and rural settings;

''(C) the capability of trauma centers and military trauma care providers to increase medical surge capacity, including as a result of a large-scale event;

''(D) the ability of grant recipients to maintain the integration of the military trauma providers or teams of providers as part of the trauma center;

''(E) efforts to incorporate military trauma care providers into operational exercises and training and drills for public health emergencies; and

''(F) the capability of military trauma care providers to participate as part of a medical response during or in advance of a public health emergency, as determined by the Secretary, or a mass casualty incident.

''(f) DEFINITIONS.—For purposes of this part:

''(1) ELIGIBLE HIGH-ACUITY TRAUMA CENTER.—The term 'eligible high-acuity trauma center' means a Level I trauma center that satisfies each of the following:

''(A) Such trauma center has an agreement with the Secretary of Defense to enable military trauma teams to provide trauma care and related acute care at such trauma center.

''(B) At least 20 percent of patients treated at such trauma center in the most recent 3-month period for which data are available are treated for a major trauma at such trauma center.

''(C) Such trauma center utilizes a risk-adjusted benchmarking system and metrics to measure performance, quality, and patient outcomes.

''(D) Such trauma center is an academic training center—

''(i) affiliated with a medical school;

''(ii) that maintains residency programs and fellowships in critical trauma specialties and subspecialties, and provides education and supervision of military trauma team members according to those specialties and subspecialties; and

''(iii) that undertakes research in the prevention and treatment of traumatic injury.

''(E) Such trauma center serves as a medical and public health preparedness and response leader for its community, such as by participating in a partnership for State and regional hospital preparedness established under section 319C–2 or 319C–3.

''(2) ELIGIBLE TRAUMA CENTER.—The term 'eligible trauma center' means a Level I, II, or III trauma center that satisfies each of the following:

''(A) Such trauma center has an agreement with the Secretary of Defense to enable military trauma care providers to provide trauma care and related acute care at such trauma center.

''(B) Such trauma center utilizes a risk-adjusted benchmarking system and metrics to measure performance, quality, and patient outcomes.

''(C) Such trauma center demonstrates a need for integrated military trauma care providers to maintain or improve the trauma clinical capability of such trauma center.

''(3) MAJOR TRAUMA.—The term 'major trauma' means an injury that is greater than or equal to 15 on the injury severity score.

''(4) MILITARY TRAUMA TEAM.—The term 'military trauma team' means a complete military trauma team consisting of military trauma care providers.

''(5) MILITARY TRAUMA CARE PROVIDER.—The term 'military trauma care provider' means a member of the Armed Forces who furnishes emergency, critical care, and other trauma acute care services (including a physician, surgeon, physician assistant, nurse, nurse practitioner, respiratory therapist, flight paramedic, combat medic, or enlisted medical technician) or other military trauma care provider as the Secretary determines appropriate.

''(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $11,500,000 for each of fiscal years 2019 through 2023.''.

SEC. 205. PUBLIC HEALTH AND HEALTH CARE SYSTEM SITUATIONAL AWARENESS AND BIOSURVEILLANCE CAPABILITIES.

(a) FACILITIES, CAPACITIES, AND BIOSURVEILLANCE CAPABILITIES.—Section 319D (42 U.S.C. 247d–4) is amended—

(1) in the section heading, by striking ''**REVITALIZING**'' and inserting ''**FACILITIES AND CAPACITIES OF**'';

(2) in subsection (a)—

(A) in the subsection heading, by striking ''FACILITIES; CAPACITIES'' and inserting ''IN GENERAL'';

(B) in paragraph (1), by striking ''and improved'' and inserting '', improved, and appropriately maintained'';

(C) in paragraph (3), in the matter preceding subparagraph (A), by striking ''expand, enhance, and improve'' and inserting ''expand, improve, enhance, and appropriately maintain''; and

(D) by adding at the end the following:

''(4) STUDY OF RESOURCES FOR FACILITIES AND CAPACITIES.—Not later than June 1, 2022, the Comptroller General of the United States shall conduct a study on Federal spending in fiscal years 2013 through 2018 for activities authorized under this subsection. Such study shall include a review and assessment of obligations and expenditures directly related to each activity under paragraphs (2) and (3), including a specific accounting of, and delineation between, obligations and expenditures incurred for the construction, renovation, equipping, and security upgrades of facilities and associated contracts under this subsection, and the obligations and expenditures incurred to establish and improve the situational awareness and biosurveillance network under subsection (b), and shall identify the agency or agencies incurring such obligations and expenditures.'';

(3) in subsection (b)—

(A) in the subsection heading, by striking ''NATIONAL'' and inserting ''ESTABLISHMENT OF SYSTEMS OF PUBLIC HEALTH'';

(B) in paragraph (1)(B), by inserting ''immunization information systems,'' after ''centers,'';

(C) in paragraph (2)—

(i) by inserting ''develop a plan to, and'' after ''The Secretary shall''; and

(ii) by inserting ''and in a form readily usable for analytical approaches'' after ''in a secure manner''; and

(D) by amending paragraph (3) to read as follows:

''(3) STANDARDS.—

''(A) IN GENERAL.—Not later than 1 year after the date of the enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Secretary, in cooperation with health care providers, State, local, Tribal, and territorial public health officials, and relevant Federal agencies (including the Office of the National Coordinator for Health Information Technology and the National Institute of Standards and Technology), shall, as necessary, adopt technical and reporting standards, including standards for interoperability as defined by section 3000, for networks under paragraph (1) and update such standards as necessary. Such standards shall be made available on the internet website of the Department of Health and Human Services, in a manner that does not compromise national security.

''(B) DEFERENCE TO STANDARDS DEVELOPMENT ORGANIZATIONS.—In adopting and implementing standards under this subsection and subsection (c), the Secretary shall give deference to standards published by standards development organizations and voluntary consensus-based standards entities.'';

(4) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''Not later than 2 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary'' and inserting ''The Secretary'';

(ii) by inserting '', and improve as applicable and appropriate,'' after ''shall establish'';

(iii) by striking ''of rapid'' and inserting ''of, rapid''; and

(iv) by striking ''such connectivity'' and inserting ''such interoperability'';

(B) by amending paragraph (2) to read as follows:

''(2) COORDINATION AND CONSULTATION.—In establishing and improving the network under paragraph (1), the Secretary shall—

''(A) facilitate coordination among agencies within the Department of Health and Human Services that provide, or have the potential to provide, information and data to, and analyses for, the situational awareness and biosurveillance network under paragraph (1), including coordination among relevant agencies related to health care services, the facilitation of health information exchange (including the Office of the National Coordinator for Health Information Technology), and public health emergency preparedness and response; and

''(B) consult with the Secretary of Agriculture, the Secretary of Commerce (and the Director of the National Institute of Standards and Technology), the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Veterans Affairs, and the heads of other Federal agencies, as the Secretary determines appropriate.'';

(C) in paragraph (3)—

(i) by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively, and adjusting the margins accordingly;

(ii) in clause (iv), as so redesignated—

(I) by inserting ''immunization information systems,'' after ''poison control,''; and

(II) by striking ''and clinical laboratories'' and inserting '', clinical laboratories, and public environmental health agencies'';

(iii) by striking ''The network'' and inserting the following:

''(A) IN GENERAL.—The network''; and

(iv) by adding at the end the following:

''(B) REVIEW.—Not later than 2 years after the date of the enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019 and every 6 years thereafter, the Secretary shall conduct a review of the elements described in subparagraph (A). Such review shall include a discussion of the addition of any elements pursuant to clause (v), including elements added to advancing new technologies, and identify any challenges in the incorporation of elements under subparagraph (A). The Secretary shall provide such review to the congressional committees of jurisdiction.'';

(D) in paragraph (5)—

(i) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(ii) by striking ''In establishing'' and inserting the following:

''(A) IN GENERAL.—In establishing'';

(iii) by adding at the end the following:

''(B) PUBLIC MEETING.—

''(i) IN GENERAL.—Not later than 180 days after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Secretary shall convene a public meeting for purposes of discussing and providing input on the potential goals, functions, and uses of the network described in paragraph (1) and incorporating the elements described in paragraph (3)(A).

''(ii) EXPERTS.—The public meeting shall include representatives of relevant Federal agencies (including representatives from the Office of the National Coordinator for Health Information Technology and the National Institute of Standards and Technology); State, local, Tribal, and territorial public health officials; stakeholders with expertise in biosurveillance and situational awareness; stakeholders with expertise in capabilities relevant to biosurveillance and situational awareness, such as experts in informatics and data analytics (including experts in prediction, modeling, or forecasting); and other representatives as the Secretary determines appropriate.

''(iii) TOPICS.—Such public meeting shall include a discussion of—

''(I) data elements, including minimal or essential data elements, that are voluntarily provided for such network, which may include elements from public health and public and private health care entities, to the extent practicable;

''(II) standards and implementation specifications that may improve the collection, analysis, and interpretation of data during a public health emergency;

''(III) strategies to encourage the access, exchange, and use of information;

''(IV) considerations for State, local, Tribal, and territorial capabilities and infrastructure related to data exchange and interoperability;

''(V) privacy and security protections provided at the Federal, State, local, Tribal, and territorial levels, and by nongovernmental stakeholders; and

''(VI) opportunities for the incorporation of innovative technologies to improve the network.''; and

(iv) in subparagraph (A), as so designated by clause (ii)—

(I) in clause (i), as so redesignated—

(aa) by striking ''as determined'' and inserting ''as adopted''; and

(bb) by inserting ''and the National Institute of Standards and Technology'' after ''Office of the National Coordinator for Health Information Technology'';

(II) in clause (iii), as so redesignated, by striking ''; and'' and inserting a semicolon;

(III) in clause (iv), as so redesignated, by striking the period and inserting ''; and''; and

(IV) by adding at the end the following:

''(v) pilot test standards and implementation specifications, consistent with the process described in section 3002(b)(3)(C), which State, local, Tribal, and territorial public health entities may utilize, on a voluntary basis, as a part of the network.'';

(E) by redesignating paragraph (6) as paragraph (7);

(F) by inserting after paragraph (5) the following:

''(6) STRATEGY AND IMPLEMENTATION PLAN.—

''(A) IN GENERAL.—Not later than 18 months after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Secretary shall submit to the congressional committees of jurisdiction a coordinated strategy and an accompanying implementation plan that—

''(i) is informed by the public meeting under paragraph (5)(B);

''(ii) includes a review and assessment of existing capabilities of the network and related infrastructure, including input provided by the public meeting under paragraph (5)(B);

''(iii) identifies and demonstrates the measurable steps the Secretary will carry out to—

''(I) develop, implement, and evaluate the network described in paragraph (1), utilizing elements described in paragraph (3)(A);

''(II) modernize and enhance biosurveillance activities, including strategies to include innovative technologies and analytical approaches (including prediction and forecasting for pandemics and all-hazards) from public and private entities;

''(III) improve information sharing, coordination, and communication among disparate biosurveillance systems supported by the Department of Health and Human Services, including the identification of methods to improve accountability, better utilize resources and workforce capabilities, and incorporate innovative technologies within and across agencies; and

''(IV) test and evaluate capabilities of the interoperable network of systems to improve

situational awareness and biosurveillance capabilities;

''(iv) includes performance measures and the metrics by which performance measures will be assessed with respect to the measurable steps under clause (iii); and

''(v) establishes dates by which each measurable step under clause (iii) will be implemented.

''(B) ANNUAL BUDGET PLAN.—Not later than 2 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019 and on an annual basis thereafter, in accordance with the strategy and implementation plan under this paragraph, the Secretary shall, taking into account recommendations provided by the National Biodefense Science Board, develop a budget plan based on the strategy and implementation plan under this section. Such budget plan shall include—

''(i) a summary of resources previously expended to establish, improve, and utilize the nationwide public health situational awareness and biosurveillance network under paragraph (1);

''(ii) estimates of costs and resources needed to establish and improve the network under paragraph (1) according to the strategy and implementation plan under subparagraph (A);

''(iii) the identification of gaps and inefficiencies in nationwide public health situational awareness and biosurveillance capabilities, resources, and authorities needed to address such gaps; and

''(iv) a strategy to minimize and address such gaps and improve inefficiencies.'';

(G) in paragraph (7), as so redesignated—

(i) in subparagraph (A), by inserting ''(taking into account zoonotic disease, including gaps in scientific understanding of the interactions between human, animal, and environmental health)'' after ''human health'';

(ii) in subparagraph (B)—

(I) by inserting ''and gaps in surveillance programs'' after ''surveillance programs''; and

(II) by striking ''; and'' and inserting a semicolon;

(iii) in subparagraph (C)—

(I) by inserting '', animal health organizations related to zoonotic disease,'' after ''health care entities''; and

(II) by striking the period and inserting ''; and''; and

(iv) by adding at the end the following:

''(D) provide recommendations to the Secretary on policies and procedures to complete the steps described in this paragraph in a manner that is consistent with section 2802.''; and

(H) by adding at the end the following:

''(8) SITUATIONAL AWARENESS AND BIOSURVEILLANCE AS A NATIONAL SECURITY PRIORITY.—The Secretary, on a periodic basis as applicable and appropriate, shall meet with the Director of National Intelligence to inform the development and capabilities of the nationwide public health situational awareness and biosurveillance network.'';

(5) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting ''environmental health agencies,'' after ''public health agencies,''; and

(ii) by inserting ''immunization programs,'' after ''poison control centers,'';

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''and'' at the end;

(ii) in subparagraph (C), by striking the period and inserting ''; and''; and

(iii) by adding after subparagraph (C) the following:

''(D) an implementation plan that may include measurable steps to achieve the purposes described in paragraph (1).''; and

(C) by striking paragraph (5) and inserting the following:

''(5) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to States, localities, Tribes, and territories or a consortium of States, localities, Tribes, and territories receiving an award under this subsection regarding interoperability and the technical standards set forth by the Secretary.'';

(6) by redesignating subsections (f) and (g) as subsections (i) and (j), respectively; and

(7) by inserting after subsection (e) the following:

''(f) PERSONNEL AUTHORITIES.—

''(1) SPECIALLY QUALIFIED PERSONNEL.—In addition to any other personnel authorities, to carry out subsections (b) and (c), the Secretary may—

''(A) appoint highly qualified individuals to scientific or professional positions at the Centers for Disease Control and Prevention, not to exceed 30 such employees at any time (specific to positions authorized by this subsection), with expertise in capabilities relevant to biosurveillance and situational awareness, such as experts in informatics and data analytics (including experts in prediction, modeling, or forecasting), and other related scientific or technical fields; and

''(B) compensate individuals appointed under subparagraph (A) in the same manner and subject to the same terms and conditions in which individuals appointed under 9903 of title 5, United States Code, are compensated, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

''(2) LIMITATIONS.—The Secretary shall exercise the authority under paragraph (1) in a manner that is consistent with the limitations described in section 319F–1(e)(2).

''(g) TIMELINE.—The Secretary shall accomplish the purposes under subsections (b) and (c) no later than September 30, 2023, and shall provide a justification to the congressional committees of jurisdiction for any missed or delayed implementation of measurable steps identified under subsection (c)(6)(A)(iii).

''(h) INDEPENDENT EVALUATION.—Not later than 3 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Comptroller General of the United States shall conduct an independent evaluation and submit to the Secretary and the congressional committees of jurisdiction a report concerning the activities conducted under subsections (b) and (c), and provide recommendations, as applicable and appropriate, on necessary improvements to the biosurveillance and situational awareness network.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Subsection (i) of section 319D (42 U.S.C. 247d–4), as redesignated by subsection (a)(6), is amended by striking ''$138,300,000 for each of fiscal years 2014 through 2018'' and inserting ''$161,800,000 for each of fiscal years 2019 through 2023''.

(c) BIOLOGICAL THREAT DETECTION REPORT.—The Secretary of Health and Human Services shall, in coordination with the Secretary of Defense and the Secretary of Homeland Security, not later than 180 days after the date of enactment of this Act, report to the Committee on Energy and Commerce, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives and the Committee on Health, Education, Labor, and Pensions, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate on the state of Federal biological threat detection efforts, including the following:

(1) An identification of technological, operational, and programmatic successes and failures of domestic detection programs supported by Federal departments and agencies for intentionally introduced or accidentally released biological threat agents and naturally occurring infectious diseases.

(2) A description of Federal efforts to facilitate the exchange of information related to the information described in paragraph (1) among Federal departments and agencies that utilize biological threat detection technology.

(3) A description of the capabilities of detection systems in use by Federal departments and agencies including the capability to—

(A) rapidly detect, identify, characterize, and confirm the presence of biological threat agents;

(B) recover live biological agents from collection devices;

(C) determine the geographical distribution of biological agents;

(D) determine the extent of environmental contamination and persistence of biological agents; and

(E) provide advanced molecular diagnostics to State, local, Tribal, and territorial public health and other laboratories that support biological threat detection activities.

(4) A description of Federal interagency coordination related to biological threat detection.

(5) A description of efforts by Federal departments and agencies that utilize biological threat detection technology to collaborate with State, local, Tribal, and territorial public health laboratories and other users of biological threat detection systems, including collaboration regarding the development of—

(A) biological threat detection requirements or standards;

(B) a standardized integration strategy;

(C) training requirements or guidelines;

(D) guidelines for a coordinated public health response, including preparedness capabilities, and, as applicable, for coordination with public health surveillance systems; and

(E) a coordinated environmental remediation plan, as applicable.

(6) Recommendations related to research, advanced research, development, and procurement for Federal departments and agencies to improve and enhance biological threat detection systems, including recommendations on the transfer of biological threat detection technology among Federal departments and agencies, as necessary and appropriate.

SEC. 206. STRENGTHENING AND SUPPORTING THE PUBLIC HEALTH EMERGENCY RAPID RESPONSE FUND.

Section 319 (42 U.S.C. 247d) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in the first sentence, by inserting ''or if the Secretary determines there is the significant potential for a public health emergency, to allow the Secretary to rapidly respond to the immediate needs resulting from such public health emergency or potential public health emergency'' before the period; and

(ii) by inserting ''The Secretary shall plan for the expedited distribution of funds to appropriate agencies and entities.'' after the first sentence;

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

''(2) USES.—The Secretary may use amounts in the Fund established under paragraph (1), to—

''(A) facilitate coordination between and among Federal, State, local, Tribal, and territorial entities and public and private health care entities that the Secretary determines may be affected by a public health emergency or potential public health emergency referred to in paragraph (1) (including communication of such entities with relevant international entities, as applicable);

''(B) make grants, provide for awards, enter into contracts, and conduct supportive investigations pertaining to a public health emergency or potential public health emergency, including further supporting programs under section 319C–1, 319C–2, or 319C–3;

''(C) facilitate and accelerate, as applicable, advanced research and development of security countermeasures (as defined in section 319F–2), qualified countermeasures (as defined in section 319F–1), or qualified pandemic or epidemic products (as defined in section 319F–3), that are applicable to the public health emergency or potential public health emergency under paragraph (1);

''(D) strengthen biosurveillance capabilities and laboratory capacity to identify, collect, and analyze information regarding such public health emergency or potential public health emergency, including the systems under section 319D;

''(E) support initial emergency operations and assets related to preparation and deployment of intermittent disaster response personnel under section 2812 and the Medical Reserve Corps under section 2813; and

''(F) carry out other activities, as the Secretary determines applicable and appropriate.''; and

(D) by inserting after paragraph (3), as so redesignated, the following:

''(4) REVIEW.—Not later than 2 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Secretary, in coordination with the Assistant Secretary for Preparedness and Response, shall conduct a review of the Fund under this section and provide recommendations to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives on policies to improve such Fund for the uses described in paragraph (2).

''(5) GAO REPORT.—Not later than 4 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Comptroller General of the United States shall—

''(A) conduct a review of the Fund under this section, including its uses and the resources available in the Fund; and

''(B) submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on such review, including recommendations related to such review, as applicable.''; and

(2) in subsection (c)—

(A) by inserting ''rapidly respond to public health emergencies or potential public health emergencies and'' after ''used to''; and

(B) by striking ''section.'' and inserting ''Act or funds otherwise provided for emergency response.''.

SEC. 207. IMPROVING ALL-HAZARDS PREPAREDNESS AND RESPONSE BY PUBLIC HEALTH EMERGENCY VOLUNTEERS.

(a) IN GENERAL.—Section 319I (42 U.S.C. 247d–7b) is amended—

(1) in the section heading, by striking ''**HEALTH PROFESSIONS VOLUNTEERS**'' and inserting ''**VOLUNTEER HEALTH PROFESSIONAL**'';

(2) in subsection (a), by adding at the end the following: ''Such health care professionals may include members of the National Disaster Medical System, members of the Medical Reserve Corps, and individual health care professionals.'';

(3) in subsection (i), by adding at the end the following: ''In order to inform the development of such mechanisms by States, the Secretary shall make available information and material provided by States that have developed mechanisms to waive the application of licensing requirements to applicable health professionals seeking to provide medical services during a public health emergency. Such information shall be made publicly available in a manner that does not compromise national security.''; and

(4) in subsection (k), by striking ''2014 through 2018'' and inserting ''2019 through 2023''.

(b) ALL-HAZARDS PUBLIC HEALTH EMERGENCY PREPAREDNESS AND RESPONSE PLAN.—Section 319C–1(b)(2)(A)(iv) (42 U.S.C. 247d–3a(b)(2)(A)(iv)) is amended to read as follows:

''(iv) a description of the mechanism the entity will implement to utilize the Emergency Management Assistance Compact, or other mutual aid agreement, for medical and public health mutual aid, and, as appropriate, the activities such entity will implement pursuant to section 319I to improve enrollment and coordination of volunteer health care professionals seeking to provide medical services during a public health emergency, which may include—

''(I) providing a public method of communication for purposes of volunteer coordination (such as a phone number);

''(II) providing for optional registration to participate in volunteer services during processes related to State medical licensing, registration, or certification or renewal of such licensing, registration, or certification; or

''(III) other mechanisms as the State determines appropriate;''.

SEC. 208. CLARIFYING STATE LIABILITY LAW FOR VOLUNTEER HEALTH CARE PROFESSIONALS.

(a) IN GENERAL.—Title II (42 U.S.C. 202 et seq.) is amended by inserting after section 224 the following:

''SEC. 225. HEALTH CARE PROFESSIONALS ASSISTING DURING A PUBLIC HEALTH EMERGENCY.

''(a) LIMITATION ON LIABILITY.—Notwithstanding any other provision of law, a health care professional who is a member of the Medical Reserve Corps under section 2813 or who is included in the Emergency System for Advance Registration of Volunteer Health Professionals under section 319I and who—

''(1) is responding—

''(A) to a public health emergency determined under section 319(a), during the initial period of not more than 90 days (as determined by the Secretary) of the public health emergency determination (excluding any period covered by a renewal of such determination); or

''(B) to a major disaster or an emergency as declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or under section 201 of the National Emergencies Act (50 U.S.C. 1621) during the initial period of such declaration;

''(2) is alleged to be liable for an act or omission—

''(A) during the initial period of a determination or declaration described in paragraph (1) and related to the treatment of individuals in need of health care services due to such public health emergency, major disaster, or emergency;

''(B) in the State or States for which such determination or declaration is made;

''(C) in the health care professional's capacity as a member of the Medical Reserve Corps or a professional included in the Emergency System for Advance Registration of Volunteer Health Professionals under section 319I; and

''(D) in the course of providing services that are within the scope of the license, registration, or certification of the professional, as defined by the State of licensure, registration, or certification; and

''(3) prior to the rendering of such act or omission, was authorized by the State's authorization of deploying such State's Emergency System for Advance Registration of Volunteer Health Professionals described in section 319I or the Medical Reserve Corps established under section 2813, to provide health care services,

shall be subject only to the State liability laws of the State in which such act or omission occurred, in the same manner and to the same extent as a similar health care professional who is a resident of such State would be subject to such State laws, except with respect to the licensure, registration, and certification of such individual.

''(b) VOLUNTEER PROTECTION ACT.—Nothing in this section shall be construed to affect an individual's right to protections under the Volunteer Protection Act of 1997.

''(c) PREEMPTION.—This section shall supersede the laws of any State that would subject a health care professional described in subsection (a) to the liability laws of any State other than the State liability laws to which such individual is subject pursuant to such subsection.

''(d) DEFINITIONS.—In this section:

''(1) The term 'health care professional' means an individual licensed, registered, or certified under Federal or State laws or regulations to provide health care services.

''(2) The term 'health care services' means any services provided by a health care professional, or by any individual working under the supervision of a health care professional, that relate to—

''(A) the diagnosis, prevention, or treatment of any human disease or impairment; or

''(B) the assessment or care of the health of human beings.

''(e) EFFECTIVE DATE.—

''(1) IN GENERAL.—This section shall take effect 90 days after the date of the enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019.

''(2) APPLICATION.—This section shall apply to a claim for harm only if the act or omission that caused such harm occurred on or after the effective date described in paragraph (1).''.

(b) GAO STUDY.—Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of—

(1) the number of health care providers who register under the Emergency System for Advance Registration of Volunteer Health Professionals under section 319I of the Public Health Service Act (42 U.S.C. 247d–7b) in advance to provide services during a public health emergency;

(2) the number of health care providers who are credentialed to provide services during the period of a public health emergency declaration, including those who are credentialed though programs established in the Emergency System for Advance Registration of Volunteer Health Professionals under such section 319I and those credentialed by authorities within the State in which the emergency occurred;

(3) the average time to verify the credentials of a health care provider during the period of a public health emergency declaration, including the average time pursuant to the Emergency System for Advance Registration of Volunteer Health Professionals

under such section 319I and for an individual's credentials to be verified by an authority within the State; and

(4) the Emergency System for Advance Registration of Volunteer Health Professionals program in States, including whether physician or medical groups, associations, or other relevant provider organizations utilize such program for purposes of volunteering during public health emergencies.

SEC. 209. REPORT ON ADEQUATE NATIONAL BLOOD SUPPLY.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report containing recommendations related to maintaining an adequate national blood supply, including—

(1) challenges associated with the continuous recruitment of blood donors (including those newly eligible to donate);

(2) ensuring the adequacy of the blood supply in the case of public health emergencies;

(3) implementation of the transfusion transmission monitoring system; and

(4) other measures to promote safety and innovation, such as the development, use, or implementation of new technologies, processes, and procedures to improve the safety and reliability of the blood supply.

SEC. 210. REPORT ON THE PUBLIC HEALTH PREPAREDNESS AND RESPONSE CAPABILITIES AND CAPACITIES OF HOSPITALS, LONG-TERM CARE FACILITIES, AND OTHER HEALTH CARE FACILITIES.

(a) STUDY.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services shall enter into an agreement with an appropriate entity to conduct a study regarding the public health preparedness and response capabilities and medical surge capacities of hospitals, long-term care facilities, and other health care facilities to prepare for, and respond to, public health emergencies, including natural disasters.

(2) CONSULTATION.—In conducting the study under paragraph (1), the entity shall consult with Federal, State, local, Tribal, and territorial public health officials (as appropriate), and health care providers and facilities with experience in public health preparedness and response activities.

(3) EVALUATION.—The study under paragraph (1) shall include—

(A) an evaluation of the current benchmarks and objective standards, as applicable, related to programs that support hospitals, long-term care facilities, and other health care facilities, and their effect on improving public health preparedness and response capabilities and medical surge capacities, including the Hospital Preparedness Program, the Public Health Emergency Preparedness cooperative agreements, and the Regional Health Care Emergency Preparedness and Response Systems under section 319C–3 of the Public Health Service Act (as added by section 203);

(B) the identification of gaps in preparedness, including with respect to such benchmarks and objective standards, such as those identified during recent public health emergencies, for hospitals, long-term care facilities, and other health care facilities to address future potential public health threats;

(C) an evaluation of coordination efforts between the recipients of Federal funding for programs described in subparagraph (A) and entities with expertise in emergency power systems and other critical infrastructure partners during a public health emergency, to ensure a functioning critical infrastructure, to the greatest extent practicable, during a public health emergency;

(D) an evaluation of coordination efforts between the recipients of Federal funding for programs described in subparagraph (A) and environmental health agencies with expertise in emergency preparedness and response planning for hospitals, long-term care facilities, and other health care facilities; and

(E) an evaluation of current public health preparedness and response capabilities and medical surge capacities related to at-risk individuals during public health emergencies, including an identification of gaps in such preparedness as they relate to such individuals.

(b) REPORT.—

(1) IN GENERAL.—The agreement under subsection (a) shall require the entity to submit to the Secretary of Health and Human Services and the congressional committees of jurisdiction, not later than 3 years after the date of enactment of this Act, a report on the results of the study conducted pursuant to this section.

(2) CONTENTS.—The report under paragraph (1) shall—

(A) describe the findings and conclusions of the evaluation conducted pursuant to subsection (a); and

(B) provide recommendations for improving public health preparedness and response capability and medical surge capacity for hospitals, long-term care facilities, and other health care facilities, including—

(i) improving the existing benchmarks and objective standards for the Federal grant programs described in subsection (a)(3)(A) or developing new benchmarks and standards for such programs; and

(ii) identifying best practices for improving public health preparedness and response programs and medical surge capacity at hospitals, long-term care facilities, and other health care facilities, including recommendations for the evaluation under subparagraphs (C) and (D) of subsection (a)(3).

TITLE III—REACHING ALL COMMUNITIES

SEC. 301. STRENGTHENING AND ASSESSING THE EMERGENCY RESPONSE WORKFORCE.

(a) NATIONAL DISASTER MEDICAL SYSTEM.—

(1) STRENGTHENING THE NATIONAL DISASTER MEDICAL SYSTEM.—Clause (ii) of section 2812(a)(3)(A) (42 U.S.C. 300hh–11(a)(3)(A)) is amended to read as follows:

''(ii) be present at locations, and for limited periods of time, specified by the Secretary on the basis that the Secretary has determined that a location is at risk of a public health emergency during the time specified, or there is a significant potential for a public health emergency.''.

(2) REVIEW OF THE NATIONAL DISASTER MEDICAL SYSTEM.—Section 2812(b)(2) (42 U.S.C. 300hh–11(b)(2)) is amended to read as follows:

''(2) JOINT REVIEW AND MEDICAL SURGE CAPACITY STRATEGIC PLAN.—

''(A) REVIEW.—Not later than 180 days after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Secretary, in coordination with the Secretary of Homeland Security, the Secretary of Defense, and the Secretary of Veterans Affairs, shall conduct a joint review of the National Disaster Medical System. Such review shall include—

''(i) an evaluation of medical surge capacity, as described in section 2803(a);

''(ii) an assessment of the available workforce of the intermittent disaster response personnel described in subsection (c);

''(iii) the capacity of the workforce described in clause (ii) to respond to all hazards, including capacity to simultaneously respond to multiple public health emergencies and the capacity to respond to a nationwide public health emergency;

''(iv) the effectiveness of efforts to recruit, retain, and train such workforce; and

''(v) gaps that may exist in such workforce and recommendations for addressing such gaps.

''(B) UPDATES.—As part of the National Health Security Strategy under section 2802, the Secretary shall update the findings from the review under subparagraph (A) and provide recommendations to modify the policies of the National Disaster Medical System as necessary.''.

(3) NOTIFICATION OF SHORTAGE.—Section 2812(c) (42 U.S.C. 300hh–11(c)) is amended by adding at the end the following:

''(3) NOTIFICATION.—Not later than 30 days after the date on which the Secretary determines the number of intermittent disaster-response personnel of the National Disaster Medical System is insufficient to address a public health emergency or potential public health emergency, the Secretary shall submit to the congressional committees of jurisdiction a notification detailing—

''(A) the impact such shortage could have on meeting public health needs and emergency medical personnel needs during a public health emergency; and

''(B) any identified measures to address such shortage.

''(4) CERTAIN APPOINTMENTS.—

''(A) IN GENERAL.—If the Secretary determines that the number of intermittent disaster response personnel within the National Disaster Medical System under this section is insufficient to address a public health emergency or potential public health emergency, the Secretary may appoint candidates directly to personnel positions for intermittent disaster response within such system. The Secretary shall provide updates on the number of vacant or unfilled positions within such system to the congressional committees of jurisdiction each quarter for which this authority is in effect.

''(B) SUNSET.—The authority under this paragraph shall expire on September 30, 2021.''.

(4) AUTHORIZATION OF APPROPRIATIONS.—Section 2812(g) (42 U.S.C. 300hh–11(g)) is amended by striking ''$52,700,000 for each of fiscal years 2014 through 2018'' and inserting ''$57,400,000 for each of fiscal years 2019 through 2023''.

(b) VOLUNTEER MEDICAL RESERVE CORPS.—

(1) IN GENERAL.—Section 2813(a) (42 U.S.C. 42 U.S.C. 300hh–15(a)) is amended by striking the second sentence and inserting ''The Secretary may appoint a Director to head the Corps and oversee the activities of the Corps chapters that exist at the State, local, Tribal, and territorial levels.''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 2813(i) (42 U.S.C. 300hh–15(i)) is amended by striking ''2014 through 2018'' and inserting ''2019 through 2023''.

(c) STRENGTHENING THE EPIDEMIC INTELLIGENCE SERVICE.—Section 317F (42 U.S.C. Sec. 247b–7) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''or preparedness and response activities, including rapid response to public health emergencies and significant public health threats'' after ''conduct prevention activities''; and

(ii) by striking ''$35,000'' and inserting ''$50,000''; and

(B) in paragraph (2)(B), by striking ''3 years'' and inserting ''2 years''; and

(2) in subsection (c)—

(A) by striking ''For the purpose of carrying out this section'' and inserting the following:

''(1) IN GENERAL.—For the purpose of carrying out this section, except as described in paragraph (2)''; and

(B) by adding at the end the following:

''(2) EPIDEMIC INTELLIGENCE SERVICE PROGRAM.—For purposes of carrying out this section with respect to qualified health professionals serving in the Epidemic Intelligence Service, as authorized under section 317G, there is authorized to be appropriated $1,000,000 for each of fiscal years 2019 through 2023.''.

(d) SERVICE BENEFIT FOR NATIONAL DISASTER MEDICAL SYSTEM VOLUNTEERS.—

(1) IN GENERAL.—Section 2812(c) (42 U.S.C. 300hh–11(c)), as amended by subsection (a)(3), is further amended by adding at the end the following:

''(5) SERVICE BENEFIT.—Individuals appointed to serve under this subsection shall be considered eligible for benefits under part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968. The Secretary shall provide notification to any eligible individual of any effect such designation may have on other benefits for which such individual is eligible, including benefits from private entities.''.

(2) PUBLIC SAFETY OFFICER BENEFITS.—Section 1204(9) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284(9)) is amended—

(A) in subparagraph (C)(ii), by striking ''or'' at the end;

(B) in subparagraph (D), by striking the period and inserting ''; or''; and

(C) by inserting after subparagraph (D) the following:

''(E) an individual appointed to the National Disaster Medical System under section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11) who is performing official duties of the Department of Health and Human Services, if those official duties are—

''(i) related to responding to a public health emergency or potential public health emergency, or other activities for which the Secretary of Health and Human Services has activated such National Disaster Medical System; and

''(ii) determined by the Secretary of Health and Human Services to be hazardous.''.

(3) SUNSET.—The amendments made by paragraphs (1) and (2) shall cease to have force or effect on October 1, 2021.

(e) MISSION READINESS REPORT TO CONGRESS.—

(1) REPORT.—Not later than one year after the date of enactment of this section, the Comptroller General of the United States (referred to in this subsection as the ''Comptroller General'') shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report on the medical surge capacity of the United States in the event of a public health emergency, including the capacity and capability of the current health care workforce to prepare for, and respond to, the full range of public health emergencies or potential public health emergencies, and recommendations to address any gaps identified in such workforce.

(2) CONTENTS.—The Comptroller General shall include in the report under paragraph (1)—

(A) the number of health care providers who have volunteered to provide health care services during a public health emergency, including members of the National Disaster Medical System, the Disaster Medical Assistant Teams, the Medical Reserve Corps, and other volunteer health care professionals in the verification network pursuant to section 319I of the Public Health Service Act (42 U.S.C. 247d–7b);

(B) the capacity of the workforce described in subparagraph (A) to respond to a public health emergency or potential public health emergency, including the capacity to respond to multiple concurrent public health emergencies and the capacity to respond to a nationwide public health emergency;

(C) the preparedness and response capabilities and mission readiness of the workforce described in subparagraph (A) taking into account areas of health care expertise and considerations for at-risk individuals (as defined in section 2802(b)(4)(B) of the Public Health Service Act (42 U.S.C. 300hh–1(b)(4)(B)));

(D) an assessment of the effectiveness of efforts to recruit, retain, and train such workforce; and

(E) identification of gaps that may exist in such workforce and recommendations for addressing such gaps, the extent to which the Assistant Secretary for Preparedness and Response plans to address such gaps, and any recommendations from the Comptroller General to address such gaps.

SEC. 302. HEALTH SYSTEM INFRASTRUCTURE TO IMPROVE PREPAREDNESS AND RESPONSE.

(a) COORDINATION OF PREPAREDNESS.—Section 2811(b)(5) (42 U.S.C. 300hh–10(b)(5)) is amended by adding at the end the following: ''Such logistical support shall include working with other relevant Federal, State, local, Tribal, and territorial public health officials and private sector entities to identify the critical infrastructure assets, systems, and networks needed for the proper functioning of the health care and public health sectors that need to be maintained through any emergency or disaster, including entities capable of assisting with, responding to, and mitigating the effect of a public health emergency, including a public health emergency determined by the Secretary pursuant to section 319(a) or an emergency or major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act or the National Emergencies Act, including by establishing methods to exchange critical information and deliver products consumed or used to preserve, protect, or sustain life, health, or safety, and sharing of specialized expertise.''.

(b) MANUFACTURING CAPACITY.—Section 2811(d)(2)(C) (42 U.S.C. 300hh–10(d)(2)(C)) is amended by inserting '', and ancillary medical supplies to assist with the utilization of such countermeasures or products,'' after ''products''.

(c) EVALUATION OF BARRIERS TO RAPID DELIVERY OF MEDICAL COUNTERMEASURES.—

(1) RAPID DELIVERY STUDY.—The Assistant Secretary for Preparedness and Response may conduct a study on issues that have the potential to adversely affect the handling and rapid delivery of medical countermeasures to individuals during public health emergencies occurring in the United States.

(2) NOTICE TO CONGRESS.—Not later than 9 months after the date of the enactment of this Act, the Assistant Secretary for Preparedness and Response shall notify the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate if the Assistant Secretary for Preparedness and Response does not plan to conduct the study under paragraph (1) and shall provide such committees a summary explanation for such decision.

(3) REPORT TO CONGRESS.—Not later than 1 year after the Assistant Secretary for Preparedness and Response conducts the study under paragraph (1), such Assistant Secretary shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate containing the findings of such study.

SEC. 303. CONSIDERATIONS FOR AT-RISK INDIVIDUALS.

(a) AT-RISK INDIVIDUALS IN THE NATIONAL HEALTH SECURITY STRATEGY.—Section 2802(b)(4)(B) (42 U.S.C. 300hh–1(b)(4)(B)) is amended—

(1) by striking ''this section and sections 319C–1, 319F, and 319L,'' and inserting ''this Act,''; and

(2) by striking ''special'' and inserting ''access or functional''.

(b) COUNTERMEASURE CONSIDERATIONS.—Section 319L(c)(6) (42 U.S.C. 247d–7e(c)(6)) is amended—

(1) by striking ''elderly'' and inserting ''older adults''; and

(2) by inserting ''with relevant characteristics that warrant consideration during the process of researching and developing such countermeasures and products'' before the period.

(c) BIOSURVEILLANCE OF EMERGING PUBLIC HEALTH THREATS.—Section 2814 is amended—

(1) in paragraph (7), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (8), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(9) facilitate coordination to ensure that, in implementing the situational awareness and biosurveillance network under section 319D, the Secretary considers incorporating data and information from Federal, State, local, Tribal, and territorial public health officials and entities relevant to detecting emerging public health threats that may affect at-risk individuals, such as pregnant and postpartum women and infants, including adverse health outcomes of such populations related to such emerging public health threats.''.

SEC. 304. IMPROVING EMERGENCY PREPAREDNESS AND RESPONSE CONSIDERATIONS FOR CHILDREN.

Part B of title III (42 U.S.C. 243 et seq.) is amended by inserting after section 319D the following:

''SEC. 319D–1. CHILDREN'S PREPAREDNESS UNIT.

''(a) ENHANCING EMERGENCY PREPAREDNESS FOR CHILDREN.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention (referred to in this subsection as the 'Director'), shall maintain an internal team of experts, to be known as the Children's Preparedness Unit (referred to in this subsection as the 'Unit'), to work collaboratively to provide guidance on the considerations for, and the specific needs of, children before, during, and after public health emergencies. The Unit shall inform the Director regarding emergency preparedness and response efforts pertaining to children at the Centers for Disease Control and Prevention.

''(b) EXPERTISE.—The team described in subsection (a) shall include one or more pediatricians, which may be a developmental-behavioral pediatrician, and may also include behavioral scientists, child psychologists, epidemiologists, biostatisticians, health communications staff, and individuals with other areas of expertise, as the Secretary determines appropriate.

''(c) DUTIES.—The team described in subsection (a) may—

''(1) assist State, local, Tribal, and territorial emergency planning and response activities related to children, which may include developing, identifying, and sharing best practices;

''(2) provide technical assistance, training, and consultation to Federal, State, local, Tribal, and territorial public health officials to improve preparedness and response capabilities with respect to the needs of children, including providing such technical assistance, training, and consultation to eligible entities in order to support the achievement of measurable evidence-based benchmarks and objective standards applicable to sections 319C–1 and 319C–2;

''(3) improve the utilization of methods to incorporate the needs of children in planning for and responding to a public health emergency, including public awareness of such methods;

''(4) coordinate with, and improve, public-private partnerships, such as health care coalitions pursuant to sections 319C–2 and 319C–3, to address gaps and inefficiencies in emergency preparedness and response efforts for children;

''(5) provide expertise and input during the development of guidance and clinical recommendations to address the needs of children when preparing for, and responding to, public health emergencies, including pursuant to section 319C–3; and

''(6) carry out other duties related to preparedness and response activities for children, as the Secretary determines appropriate.''.

SEC. 305. NATIONAL ADVISORY COMMITTEES ON DISASTERS.

(a) REAUTHORIZING THE NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.—Section 2811A (42 U.S.C. 300hh–10a) is amended—

(1) in subsection (b)(2), by inserting '', mental and behavioral,'' after ''medical'';

(2) in subsection (d)—

(A) in paragraph (1), by striking ''15'' and inserting ''25''; and

(B) by striking paragraph (2) and inserting the following:

''(2) REQUIRED NON-FEDERAL MEMBERS.—The Secretary, in consultation with such other heads of Federal agencies as may be appropriate, shall appoint to the Advisory Committee under paragraph (1) at least 13 individuals, including—

''(A) at least 2 non-Federal professionals with expertise in pediatric medical disaster planning, preparedness, response, or recovery;

''(B) at least 2 representatives from State, local, Tribal, or territorial agencies with expertise in pediatric disaster planning, preparedness, response, or recovery;

''(C) at least 4 members representing health care professionals, which may include members with expertise in pediatric emergency medicine; pediatric trauma, critical care, or surgery; the treatment of pediatric patients affected by chemical, biological, radiological, or nuclear agents, including emerging infectious diseases; pediatric mental or behavioral health related to children affected by a public health emergency; or pediatric primary care; and

''(D) other members as the Secretary determines appropriate, of whom—

''(i) at least one such member shall represent a children's hospital;

''(ii) at least one such member shall be an individual with expertise in schools or child care settings;

''(iii) at least one such member shall be an individual with expertise in children and youth with special health care needs; and

''(iv) at least one such member shall be an individual with expertise in the needs of parents or family caregivers, including the parents or caregivers of children with disabilities.

''(3) FEDERAL MEMBERS.—The Advisory Committee under paragraph (1) shall include the following Federal members or their designees (who may be nonvoting members, as determined by the Secretary):

''(A) The Assistant Secretary for Preparedness and Response.

''(B) The Director of the Biomedical Advanced Research and Development Authority.

''(C) The Director of the Centers for Disease Control and Prevention.

''(D) The Commissioner of Food and Drugs.

''(E) The Director of the National Institutes of Health.

''(F) The Assistant Secretary of the Administration for Children and Families.

''(G) The Administrator of the Health Resources and Services Administration.

''(H) The Administrator of the Federal Emergency Management Agency.

''(I) The Administrator of the Administration for Community Living.

''(J) The Secretary of Education.

''(K) Representatives from such Federal agencies (such as the Substance Abuse and Mental Health Services Administration and the Department of Homeland Security) as the Secretary determines appropriate to fulfill the duties of the Advisory Committee under subsections (b) and (c).

''(4) TERM OF APPOINTMENT.—Each member of the Advisory Committee appointed under paragraph (2) shall serve for a term of 3 years, except that the Secretary may adjust the terms of the Advisory Committee appointees serving on the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, or appointees who are initially appointed after such date of enactment, in order to provide for a staggered term of appointment for all members.

''(5) CONSECUTIVE APPOINTMENTS; MAXIMUM TERMS.—A member appointed under paragraph (2) may serve not more than 3 terms on the Advisory Committee, and not more than 2 of such terms may be served consecutively.'';

(3) in subsection (e), by adding at the end ''At least one meeting per year shall be an in-person meeting.'';

(4) by redesignating subsection (f) as subsection (g);

(5) by inserting after subsection (e) the following:

''(f) COORDINATION.—The Secretary shall coordinate duties and activities authorized under this section in accordance with section 2811D.''; and

(6) in subsection (g), as so redesignated, by striking ''2018'' and inserting ''2023''.

(b) AUTHORIZING THE NATIONAL ADVISORY COMMITTEE ON SENIORS AND DISASTERS.—Subtitle B of title XXVIII (42 U.S.C. 300hh et seq.) is amended by inserting after section 2811A the following:

''SEC. 2811B. NATIONAL ADVISORY COMMITTEE ON SENIORS AND DISASTERS.

''(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Homeland Security and the Secretary of Veterans Affairs, shall establish an advisory committee to be known as the National Advisory Committee on Seniors and Disasters (referred to in this section as the 'Advisory Committee').

''(b) DUTIES.—The Advisory Committee shall—

''(1) provide advice and consultation with respect to the activities carried out pursuant to section 2814, as applicable and appropriate;

''(2) evaluate and provide input with respect to the medical and public health needs of seniors related to preparation for, response to, and recovery from all-hazards emergencies; and

''(3) provide advice and consultation with respect to State emergency preparedness and response activities relating to seniors, including related drills and exercises pursuant to the preparedness goals under section 2802(b).

''(c) ADDITIONAL DUTIES.—The Advisory Committee may provide advice and recommendations to the Secretary with respect to seniors and the medical and public health grants and cooperative agreements as applicable to preparedness and response activities under this title and title III.

''(d) MEMBERSHIP.—

''(1) IN GENERAL.—The Secretary, in consultation with such other heads of agencies as appropriate, shall appoint not more than 17 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

''(2) REQUIRED MEMBERS.—The Advisory Committee shall include Federal members or their designees (who may be nonvoting members, as determined by the Secretary) and non-Federal members, as follows:

''(A) The Assistant Secretary for Preparedness and Response.

''(B) The Director of the Biomedical Advanced Research and Development Authority.

''(C) The Director of the Centers for Disease Control and Prevention.

''(D) The Commissioner of Food and Drugs.

''(E) The Director of the National Institutes of Health.

''(F) The Administrator of the Centers for Medicare & Medicaid Services.

''(G) The Administrator of the Administration for Community Living.

''(H) The Administrator of the Federal Emergency Management Agency.

''(I) The Under Secretary for Health of the Department of Veterans Affairs.

''(J) At least 2 non-Federal health care professionals with expertise in geriatric medical disaster planning, preparedness, response, or recovery.

''(K) At least 2 representatives of State, local, Tribal, or territorial agencies with expertise in geriatric disaster planning, preparedness, response, or recovery.

''(L) Representatives of such other Federal agencies (such as the Department of Energy and the Department of Homeland Security) as the Secretary determines necessary to fulfill the duties of the Advisory Committee.

''(e) MEETINGS.—The Advisory Committee shall meet not less frequently than biannually. At least one meeting per year shall be an in-person meeting.

''(f) COORDINATION.—The Secretary shall coordinate duties and activities authorized under this section in accordance with section 2811D.

''(g) SUNSET.—

''(1) IN GENERAL.—The Advisory Committee shall terminate on September 30, 2023.

''(2) EXTENSION OF COMMITTEE.—Not later than October 1, 2022, the Secretary shall submit to Congress a recommendation on whether the Advisory Committee should be extended.''.

(c) NATIONAL ADVISORY COMMITTEE ON INDIVIDUALS WITH DISABILITIES AND DISASTERS.—Subtitle B of title XXVIII (42 U.S.C. 300hh et seq.), as amended by subsection (b), is further amended by inserting after section 2811B the following:

''SEC. 2811C. NATIONAL ADVISORY COMMITTEE ON INDIVIDUALS WITH DISABILITIES AND DISASTERS.

''(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Homeland Security, shall establish a national advisory committee to be known as the National Advisory Committee on Individuals with Disabilities and Disasters (referred to in this section as the 'Advisory Committee').

''(b) DUTIES.—The Advisory Committee shall—

''(1) provide advice and consultation with respect to activities carried out pursuant to section 2814, as applicable and appropriate;

''(2) evaluate and provide input with respect to the medical, public health, and accessibility needs of individuals with disabilities related to preparation for, response to, and recovery from all-hazards emergencies; and

''(3) provide advice and consultation with respect to State emergency preparedness and

response activities, including related drills and exercises pursuant to the preparedness goals under section 2802(b).

''(c) MEMBERSHIP.—

''(1) IN GENERAL.—The Secretary, in consultation with such other heads of agencies and departments as appropriate, shall appoint not more than 17 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

''(2) REQUIRED MEMBERS.—The Advisory Committee shall include Federal members or their designees (who may be nonvoting members, as determined by the Secretary) and non-Federal members, as follows:

''(A) The Assistant Secretary for Preparedness and Response.

''(B) The Administrator of the Administration for Community Living.

''(C) The Director of the Biomedical Advanced Research and Development Authority.

''(D) The Director of the Centers for Disease Control and Prevention.

''(E) The Commissioner of Food and Drugs.

''(F) The Director of the National Institutes of Health.

''(G) The Administrator of the Federal Emergency Management Agency.

''(H) The Chair of the National Council on Disability.

''(I) The Chair of the United States Access Board.

''(J) The Under Secretary for Health of the Department of Veterans Affairs.

''(K) At least 2 non-Federal health care professionals with expertise in disability accessibility before, during, and after disasters, medical and mass care disaster planning, preparedness, response, or recovery.

''(L) At least 2 representatives from State, local, Tribal, or territorial agencies with expertise in disaster planning, preparedness, response, or recovery for individuals with disabilities.

''(M) At least 2 individuals with a disability with expertise in disaster planning, preparedness, response, or recovery for individuals with disabilities.

''(d) MEETINGS.—The Advisory Committee shall meet not less frequently than biannually. At least one meeting per year shall be an in-person meeting.

''(e) DISABILITY DEFINED.—For purposes of this section, the term 'disability' has the meaning given such term in section 3 of the Americans with Disabilities Act of 1990.

''(f) COORDINATION.—The Secretary shall coordinate duties and activities authorized under this section in accordance with section 2811D.

''(g) SUNSET.—

''(1) IN GENERAL.—The Advisory Committee shall terminate on September 30, 2023.

''(2) RECOMMENDATION.—Not later than October 1, 2022, the Secretary shall submit to Congress a recommendation on whether the Advisory Committee should be extended.''.

(d) ADVISORY COMMITTEE COORDINATION.—Subtitle B of title XXVIII (42 U.S.C. 300hh et seq.), as amended by subsection (c), is further amended by inserting after section 2811C the following:

''SEC. 2811D. ADVISORY COMMITTEE COORDINATION.

''(a) IN GENERAL.—The Secretary shall coordinate duties and activities authorized under sections 2811A, 2811B, and 2811C, and make efforts to reduce unnecessary or duplicative reporting, or unnecessary duplicative meetings and recommendations under such sections, as practicable. Members of the advisory committees authorized under such sections, or their designees, shall annually meet to coordinate any recommendations, as appropriate, that may be similar, duplicative, or overlapping with respect to addressing the needs of children, seniors, and individuals with disabilities during public health emergencies. If such coordination occurs through an in-person meeting, it shall not be considered the required in-person meetings under any of sections 2811A(e), 2811B(e), or 2811C(d).

''(b) COORDINATION AND ALIGNMENT.—The Secretary, acting through the employee designated pursuant to section 2814, shall align preparedness and response programs or activities to address similar, dual, or overlapping needs of children, seniors, and individuals with disabilities, and any challenges in preparing for and responding to such needs.

''(c) NOTIFICATION.—The Secretary shall annually notify the congressional committees of jurisdiction regarding the steps taken to coordinate, as appropriate, the recommendations under this section, and provide a summary description of such coordination.''.

SEC. 306. GUIDANCE FOR PARTICIPATION IN EXERCISES AND DRILLS.

Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services shall issue final guidance regarding the ability of personnel funded by programs authorized under this Act (including the amendments made by this Act) to participate in drills and operational exercises related to all-hazards medical and public health preparedness and response. Such drills and operational exercises may include activities that incorporate medical surge capacity planning, medical countermeasure distribution and administration, and preparing for and responding to identified threats for that region. Such personnel may include State, local, Tribal, and territorial public health department or agency personnel funded under this Act (including the amendments made by this Act). The Secretary shall consult with the Department of Homeland Security, the Department of Defense, the Department of Veterans Affairs, and other applicable Federal departments and agencies as necessary and appropriate in the development of such guidance. The Secretary shall make the guidance available on the internet website of the Department of Health and Human Services.

TITLE IV—PRIORITIZING A THREAT-BASED APPROACH

SEC. 401. ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE.

Section 2811(b) (42 U.S.C. 300hh–10(b)) is amended—

(1) in the matter preceding paragraph (1), by inserting ''utilize experience related to public health emergency preparedness and response, biodefense, medical countermeasures, and other relevant topics to'' after ''shall''; and

(2) in paragraph (4), by adding at the end the following:

''(I) THREAT AWARENESS.—Coordinate with the Director of the Centers for Disease Control and Prevention, the Director of National Intelligence, the Secretary of Homeland Security, the Assistant to the President for National Security Affairs, the Secretary of Defense, and other relevant Federal officials, such as the Secretary of Agriculture, to maintain a current assessment of national security threats and inform preparedness and response capabilities based on the range of the threats that have the potential to result in a public health emergency.''.

SEC. 402. PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE.

(a) IN GENERAL.—Title XXVIII is amended by inserting after section 2811 (42 U.S.C. 300hh–10) the following:

''SEC. 2811–1. PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE.

''(a) IN GENERAL.—The Secretary shall establish the Public Health Emergency Medical Countermeasures Enterprise (referred to in this section as the 'PHEMCE'). The Assistant Secretary for Preparedness and Response shall serve as chair of the PHEMCE.

''(b) MEMBERS.—The PHEMCE shall include each of the following members, or the designee of such members:

''(1) The Assistant Secretary for Preparedness and Response.

''(2) The Director of the Centers for Disease Control and Prevention.

''(3) The Director of the National Institutes of Health.

''(4) The Commissioner of Food and Drugs.

''(5) The Secretary of Defense.

''(6) The Secretary of Homeland Security.

''(7) The Secretary of Agriculture.

''(8) The Secretary of Veterans Affairs.

''(9) The Director of National Intelligence.

''(10) Representatives of any other Federal agency, which may include the Director of the Biomedical Advanced Research and Development Authority, the Director of the Strategic National Stockpile, the Director of the National Institute of Allergy and Infectious Diseases, and the Director of the Office of Public Health Preparedness and Response, as the Secretary determines appropriate.

''(c) FUNCTIONS.—

''(1) IN GENERAL.—The functions of the PHEMCE shall include the following:

''(A) Utilize a process to make recommendations to the Secretary regarding research, advanced research, development, procurement, stockpiling, deployment, distribution, and utilization with respect to countermeasures, as defined in section 319F–2(c), including prioritization based on the health security needs of the United States. Such recommendations shall be informed by, when available and practicable, the National Health Security Strategy pursuant to section 2802, the Strategic National Stockpile needs pursuant to section 319F–2, and assessments of current national security threats, including chemical, biological, radiological, and nuclear threats, including emerging infectious diseases. In the event that members of the PHEMCE do not agree upon a recommendation, the Secretary shall provide a determination regarding such recommendation.

''(B) Identify national health security needs, including gaps in public health preparedness and response related to countermeasures and challenges to addressing such needs (including any regulatory challenges), and support alignment of countermeasure procurement with recommendations to address such needs under subparagraph (A).

''(C) Assist the Secretary in developing strategies related to logistics, deployment, distribution, dispensing, and use of countermeasures that may be applicable to the activities of the strategic national stockpile under section 319F–2(a).

''(D) Provide consultation for the development of the strategy and implementation plan under section 2811(d).

''(2) INPUT.—In carrying out subparagraphs (B) and (C) of paragraph (1), the PHEMCE shall solicit and consider input from State, local, Tribal, and territorial public health departments or officials, as appropriate.''.

(b) PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE STRATEGY AND IMPLEMENTATION PLAN.—Section 2811(d) (42 U.S.C. 300hh–10(d)) is amended—

(1) in paragraph (1)—

(A) by striking ''Not later than 180 days after the date of enactment of this subsection, and every year thereafter'' and inserting ''Not later than March 15, 2020, and biennially thereafter''; and

(B) by striking ''Director of the Biomedical'' and all that follows through ''Food and Drugs'' and inserting ''Public Health Emergency Medical Countermeasures Enterprise established under section 2811–1''; and

(2) in paragraph (2)(J)(v), by striking ''one-year period'' and inserting ''2-year period''.

SEC. 403. STRATEGIC NATIONAL STOCKPILE.

(a) IN GENERAL.—Section 319F–2(a) (42 U.S.C. 247d–6b(a)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) in paragraph (1)—

(A) by inserting ''the Assistant Secretary for Preparedness and Response and'' after ''collaboration with'';

(B) by inserting ''and optimize'' after ''provide for'';

(C) by inserting ''and, as informed by existing recommendations of, or consultations with, the Public Health Emergency Medical Countermeasure Enterprise established under section 2811–1, make necessary additions or modifications to the contents of such stockpile or stockpiles based on the review conducted under paragraph (2)'' before the period of the first sentence; and

(D) by striking the second sentence;

(3) by inserting after paragraph (1) the following:

''(2) THREAT-BASED REVIEW.—

''(A) IN GENERAL.—The Secretary shall conduct an annual threat-based review (taking into account at-risk individuals) of the contents of the stockpile under paragraph (1), including non-pharmaceutical supplies, and, in consultation with the Public Health Emergency Medical Countermeasures Enterprise established under section 2811–1, review contents within the stockpile and assess whether such contents are consistent with the recommendations made pursuant to section 2811–1(c)(1)(A). Such review shall be submitted on June 15, 2019, and on March 15 of each year thereafter, to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives, in a manner that does not compromise national security.

''(B) ADDITIONS, MODIFICATIONS, AND REPLENISHMENTS.—Each annual threat-based review under subparagraph (A) shall, for each new or modified countermeasure procurement or replenishment, provide—

''(i) information regarding—

''(I) the quantities of the additional or modified countermeasure procured for, or contracted to be procured for, the stockpile;

''(II) planning considerations for appropriate manufacturing capacity and capability to meet the goals of such additions or modifications (without disclosing proprietary information), including consideration of the effect such additions or modifications may have on the availability of such products and ancillary medical supplies in the health care system;

''(III) the presence or lack of a commercial market for the countermeasure at the time of procurement;

''(IV) the emergency health security threat or threats such countermeasure procurement is intended to address, including whether such procurement is consistent with meeting emergency health security needs associated with such threat or threats;

''(V) an assessment of whether the emergency health security threat or threats described in subclause (IV) could be addressed in a manner that better utilizes the resources of the stockpile and permits the greatest possible increase in the level of emergency preparedness to address such threats;

''(VI) whether such countermeasure is replenishing an expiring or expired countermeasure, is a different countermeasure with the same indication that is replacing an expiring or expired countermeasure, or is a new addition to the stockpile;

''(VII) a description of how such additions or modifications align with projected investments under previous countermeasures budget plans under section 2811(b)(7), including expected life-cycle costs, expenditures related to countermeasure procurement to address the threat or threats described in subclause (IV), replenishment dates (including the ability to extend the maximum shelf life of a countermeasure), and the manufacturing capacity required to replenish such countermeasure; and

''(VIII) appropriate protocols and processes for the deployment, distribution, or dispensing of the countermeasure at the State and local level, including plans for relevant capabilities of State and local entities to dispense, distribute, and administer the countermeasure; and

''(ii) an assurance, which need not be provided in advance of procurement, that for each countermeasure procured or replenished under this subsection, the Secretary completed a review addressing each item listed under this subsection in advance of such procurement or replenishment.'';

(4) in paragraph (3), as so redesignated—

(A) in subparagraph (A), by inserting ''and the Public Health Emergency Medical Countermeasures Enterprise established under section 2811–1'' before the semicolon;

(B) in subparagraph (C), by inserting '', and the availability, deployment, dispensing, and administration of countermeasures'' before the semicolon;

(C) by amending subparagraph (E) to read as follows:

''(E) devise plans for effective and timely supply-chain management of the stockpile, in consultation with the Director of the Centers for Disease Control and Prevention, the Assistant Secretary for Preparedness and Response, the Secretary of Transportation, the Secretary of Homeland Security, the Secretary of Veterans Affairs, and the heads of other appropriate Federal agencies; State, local, Tribal, and territorial agencies; and the public and private health care infrastructure, as applicable, taking into account the manufacturing capacity and other available sources of products and appropriate alternatives to supplies in the stockpile;'';

(D) in subparagraph (G), by striking ''; and'' and inserting a semicolon;

(E) in subparagraph (H), by striking the period and inserting a semicolon; and

(F) by adding at the end the following:

''(I) ensure that each countermeasure or product under consideration for procurement pursuant to this subsection receives the same consideration regardless of whether such countermeasure or product receives or had received funding under section 319L, including with respect to whether the countermeasure or product is most appropriate to meet the emergency health security needs of the United States; and

''(J) provide assistance, including technical assistance, to maintain and improve State and local public health preparedness capabilities to distribute and dispense medical countermeasures and products from the stockpile, as appropriate.''; and

(5) by adding at the end the following:

''(5) GAO REPORT.—

''(A) IN GENERAL.—Not later than 3 years after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, and every 5 years thereafter, the Comptroller General of the United States shall conduct a review of any changes to the contents or management of the stockpile since January 1, 2015. Such review shall include—

''(i) an assessment of the comprehensiveness and completeness of each annual threat-based review under paragraph (2), including whether all newly procured or replenished countermeasures within the stockpile were described in each annual review, and whether, consistent with paragraph (2)(B), the Secretary conducted the necessary internal review in advance of such procurement or replenishment;

''(ii) an assessment of whether the Secretary established health security and science-based justifications, and a description of such justifications for procurement decisions related to health security needs with respect to the identified threat, for additions or modifications to the stockpile based on the information provided in such reviews under paragraph (2)(B), including whether such review was conducted prior to procurement, modification, or replenishment;

''(iii) an assessment of the plans developed by the Secretary for the deployment, distribution, and dispensing of countermeasures procured, modified, or replenished under paragraph (1), including whether such plans were developed prior to procurement, modification, or replenishment;

''(iv) an accounting of countermeasures procured, modified, or replenished under paragraph (1) that received advanced research and development funding from the Biomedical Advanced Research and Development Authority;

''(v) an analysis of how such procurement decisions made progress toward meeting emergency health security needs related to the identified threats for countermeasures added, modified, or replenished under paragraph (1);

''(vi) a description of the resources expended related to the procurement of countermeasures (including additions, modifications, and replenishments) in the stockpile, and how such expenditures relate to the ability of the stockpile to meet emergency health security needs;

''(vii) an assessment of the extent to which additions, modifications, and replenishments reviewed under paragraph (2) align with previous relevant reports or reviews by the Secretary or the Comptroller General;

''(viii) with respect to any change in the Federal organizational management of the stockpile, an assessment and comparison of the processes affected by such change, including planning for potential countermeasure deployment, distribution, or dispensing capabilities and processes related to procurement decisions, use of stockpiled countermeasures, and use of resources for such activities; and

''(ix) an assessment of whether the processes and procedures described by the Secretary pursuant to section 403(b) of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019 are sufficient to ensure countermeasures and products under consideration for procurement pursuant to subsection (a) receive the same consideration regardless of whether such countermeasures and products receive or had received funding under section 319L, including with respect to whether such countermeasures and products are most appropriate to meet the emergency health security needs of the United States.

''(B) SUBMISSION.—Not later than 6 months after completing a classified version of the review under subparagraph (A), the Comptroller General shall submit an unclassified version of the review to the congressional committees of jurisdiction.''.

(b) ADDITIONAL REPORTING.—In the first threat-based review submitted after the date of enactment of this Act pursuant to paragraph (2) of section 319F–2(a) of the Public

Health Service Act (42 U.S.C. 247d–6b(a)), as amended by subsection (a), the Secretary shall include a description of the processes and procedures through which the Director of the Strategic National Stockpile and the Director of the Biomedical Advanced Research and Development Authority coordinate with respect to countermeasures and products procured under such section 319F–2(a), including such processes and procedures in place to ensure countermeasures and products under consideration for procurement pursuant to such section 319F–2(a) receive the same consideration regardless of whether such countermeasures or products receive or had received funding under section 319L of the Public Health Service Act (42 U.S.C. 247d–7e), and whether such countermeasures and products are the most appropriate to meet the emergency health security needs of the United States.

(c) AUTHORIZATION OF APPROPRIATIONS, STRATEGIC NATIONAL STOCKPILE.—Section 319F–2(f)(1) (42 U.S.C. 247d–6b(f)(1)) is amended by striking ''$533,800,000 for each of fiscal years 2014 through 2018'' and inserting ''$610,000,000 for each of fiscal years 2019 through 2023, to remain available until expended''.

SEC. 404. PREPARING FOR PANDEMIC INFLUENZA, ANTIMICROBIAL RESISTANCE, AND OTHER SIGNIFICANT THREATS.

(a) STRATEGIC INITIATIVES.—Section 319L(c)(4) (247d–7e(c)(4)) is amended by adding at the end the following:

''(F) STRATEGIC INITIATIVES.—The Secretary, acting through the Director of BARDA, may implement strategic initiatives, including by building on existing programs and by awarding contracts, grants, and cooperative agreements, or entering into other transactions, to support innovative candidate products in preclinical and clinical development that address priority, naturally occurring and man-made threats that, as determined by the Secretary, pose a significant level of risk to national security based on the characteristics of a chemical, biological, radiological or nuclear threat, or existing capabilities to respond to such a threat (including medical response and treatment capabilities and manufacturing infrastructure). Such initiatives shall accelerate and support the advanced research, development, and procurement of countermeasures and products, as applicable, to address areas including—

''(i) chemical, biological, radiological, or nuclear threats, including emerging infectious diseases, for which insufficient approved, licensed, or authorized countermeasures exist, or for which such threat, or the result of an exposure to such threat, may become resistant to countermeasures or existing countermeasures may be rendered ineffective;

''(ii) threats that consistently exist or continually circulate and have a significant potential to become a pandemic, such as pandemic influenza, which may include the advanced research and development, manufacturing, and appropriate stockpiling of qualified pandemic or epidemic products, and products, technologies, or processes to support the advanced research and development of such countermeasures (including multiuse platform technologies for diagnostics, vaccines, and therapeutics; virus seeds; clinical trial lots; novel virus strains; and antigen and adjuvant material); and

''(iii) threats that may result primarily or secondarily from a chemical, biological, radiological, or nuclear agent, or emerging infectious diseases, and which may present increased treatment complications such as the occurrence of resistance to available countermeasures or potential countermeasures, including antimicrobial resistant pathogens.''.

(b) PROTECTION OF NATIONAL SECURITY FROM THREATS.—Section 2811 (42 U.S.C. 300hh–10) is amended by adding at the end the following:

''(f) PROTECTION OF NATIONAL SECURITY FROM THREATS.—

''(1) IN GENERAL.—In carrying out subsection (b)(3), the Assistant Secretary for Preparedness and Response shall implement strategic initiatives or activities to address threats, including pandemic influenza and which may include a chemical, biological, radiological, or nuclear agent (including any such agent with a significant potential to become a pandemic), that pose a significant level of risk to public health and national security based on the characteristics of such threat. Such initiatives shall include activities to—

''(A) accelerate and support the advanced research, development, manufacturing capacity, procurement, and stockpiling of countermeasures, including initiatives under section 319L(c)(4)(F);

''(B) support the development and manufacturing of virus seeds, clinical trial lots, and stockpiles of novel virus strains; and

''(C) maintain or improve preparedness activities, including for pandemic influenza.

''(2) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—To carry out this subsection, there is authorized to be appropriated $250,000,000 for each of fiscal years 2019 through 2023.

''(B) SUPPLEMENT, NOT SUPPLANT.—Amounts appropriated under this paragraph shall be used to supplement and not supplant funds provided under sections 319L(d) and 319F–2(g).

''(C) DOCUMENTATION REQUIRED.—The Assistant Secretary for Preparedness and Response, in accordance with subsection (b)(7), shall document amounts expended for purposes of carrying out this subsection, including amounts appropriated under the heading 'Public Health and Social Services Emergency Fund' under the heading 'Office of the Secretary' under title II of division H of the Consolidated Appropriations Act, 2018 (Public Law 115–141) and allocated to carrying out section 319L(c)(4)(F).''.

SEC. 405. REPORTING ON THE FEDERAL SELECT AGENT PROGRAM.

Section 351A(k) (42 U.S.C. 262a(k)) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) IMPLEMENTATION OF RECOMMENDATIONS OF THE FEDERAL EXPERTS SECURITY ADVISORY PANEL AND THE FAST TRACK ACTION COMMITTEE ON SELECT AGENT REGULATIONS.—

''(A) IN GENERAL.—Not later than 1 year after the date of the enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, the Secretary shall report to the congressional committees of jurisdiction on the implementation of recommendations of the Federal Experts Security Advisory Panel concerning the select agent program.

''(B) CONTINUED UPDATES.—The Secretary shall report to the congressional committees of jurisdiction annually following the submission of the report under subparagraph (A) until the recommendations described in such subparagraph are fully implemented, or a justification is provided for the delay in, or lack of, implementation.''.

TITLE V—INCREASING COMMUNICATION IN MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

SEC. 501. MEDICAL COUNTERMEASURE BUDGET PLAN.

Section 2811(b)(7) (42 U.S.C. 300hh–10(b)(7)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''March 1'' and inserting ''March 15'';

(2) in subparagraph (A)—

(A) in clause (ii), by striking ''; and'' and inserting '';''; and

(B) by striking clause (iii) and inserting the following:

''(iii) procurement, stockpiling, maintenance, and potential replenishment (including manufacturing capabilities) of all products in the Strategic National Stockpile;

''(iv) the availability of technologies that may assist in the advanced research and development of countermeasures and opportunities to use such technologies to accelerate and navigate challenges unique to countermeasure research and development; and

''(v) potential deployment, distribution, and utilization of medical countermeasures; development of clinical guidance and emergency use instructions for the use of medical countermeasures; and, as applicable, potential postdeployment activities related to medical countermeasures;'';

(3) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(4) by inserting after subparagraph (C), the following:

''(D) identify the full range of anticipated medical countermeasure needs related to research and development, procurement, and stockpiling, including the potential need for indications, dosing, and administration technologies, and other countermeasure needs as applicable and appropriate;''.

SEC. 502. MATERIAL THREAT AND MEDICAL COUNTERMEASURE NOTIFICATIONS.

(a) CONGRESSIONAL NOTIFICATION OF MATERIAL THREAT DETERMINATION.—Section 319F–2(c)(2)(C) (42 U.S.C. 247d–6b(c)(2)(C)) is amended by striking ''The Secretary and the Homeland Security Secretary shall promptly notify the appropriate committees of Congress'' and inserting ''The Secretary and the Secretary of Homeland Security shall send to Congress, on an annual basis, all current material threat determinations and shall promptly notify the Committee on Health, Education, Labor, and Pensions and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Energy and Commerce and the Committee on Homeland Security of the House of Representatives''.

(b) CONTRACTING COMMUNICATION.—Section 319F–2(c)(7)(B)(ii)(III) (42 U.S.C. 247d–6b(c)(7)(B)(ii)(III)) is amended by adding at the end the following: ''The Secretary shall notify the vendor within 90 days of a determination by the Secretary to renew, extend, or terminate such contract.''.

SEC. 503. AVAILABILITY OF REGULATORY MANAGEMENT PLANS.

Section 565(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4(f)) is amended—

(1) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(2) by inserting after paragraph (2) the following:

''(3) PUBLICATION.—The Secretary shall make available on the internet website of the Food and Drug Administration information regarding regulatory management plans, including—

''(A) the process by which an applicant may submit a request for a regulatory management plan;

''(B) the timeframe by which the Secretary is required to respond to such request;

''(C) the information required for the submission of such request;

''(D) a description of the types of development milestones and performance targets that could be discussed and included in such plans; and

''(E) contact information for beginning the regulatory management plan process.'';

(3) in paragraph (6), as so redesignated, in the matter preceding subparagraph (A)—

(A) by striking ''paragraph (4)(A)'' and inserting ''paragraph (5)(A)''; and

(B) by striking ''paragraph (4)(B)'' and inserting ''paragraph (5)(B)''; and

(4) in paragraph (7)(A), as so redesignated, by striking ''paragraph (3)(A)'' and inserting ''paragraph (4)(A)''.

SEC. 504. THE BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY AND THE BIOSHIELD SPECIAL RESERVE FUND.

(a) BIOSHIELD SPECIAL RESERVE FUND.—Section 319F–2(g)(1) (42 U.S.C. 247d–6b(g)(1)) is amended—

(1) by striking ''$2,800,000,000 for the period of fiscal years 2014 through 2018'' and inserting ''$7,100,000,000 for the period of fiscal years 2019 through 2028, to remain available until expended''; and

(2) by striking the second sentence.

(b) THE BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.—Section 319L(d)(2) (42 U.S.C. 247d–7e(d)(2)) is amended by striking ''$415,000,000 for each of fiscal years 2014 through 2018'' and inserting ''$611,700,000 for each of fiscal years 2019 through 2023''.

SEC. 505. ADDITIONAL STRATEGIES FOR COMBATING ANTIBIOTIC RESISTANCE.

(a) ADVISORY COUNCIL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') may continue the Presidential Advisory Council on Combating Antibiotic-Resistant Bacteria, referred to in this section as the ''Advisory Council''.

(b) DUTIES.—The Advisory Council shall advise and provide information and recommendations to the Secretary regarding programs and policies intended to reduce or combat antibiotic-resistant bacteria that may present a public health threat and improve capabilities to prevent, diagnose, mitigate, or treat such resistance. Such advice, information, and recommendations may be related to improving—

(1) the effectiveness of antibiotics;

(2) research and advanced research on, and the development of, improved and innovative methods for combating or reducing antibiotic resistance, including new treatments, rapid point-of-care diagnostics, alternatives to antibiotics, including alternatives to animal antibiotics, and antimicrobial stewardship activities;

(3) surveillance of antibiotic-resistant bacterial infections, including publicly available and up-to-date information on resistance to antibiotics;

(4) education for health care providers and the public with respect to up-to-date information on antibiotic resistance and ways to reduce or combat such resistance to antibiotics related to humans and animals;

(5) methods to prevent or reduce the transmission of antibiotic-resistant bacterial infections, including stewardship programs; and

(6) coordination with respect to international efforts in order to inform and advance United States capabilities to combat antibiotic resistance.

(c) MEETINGS AND COORDINATION.—

(1) MEETINGS.—The Advisory Council shall meet not less than biannually and, to the extent practicable, in coordination with meetings of the Antimicrobial Resistance Task Force established in section 319E(a) of the Public Health Service Act.

(2) COORDINATION.—The Advisory Council shall, to the greatest extent practicable, coordinate activities carried out by the Council with the Antimicrobial Resistance Task Force established under section 319E(a) of the Public Health Service Act (42 U.S.C. 247d–5(a)).

(d) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the activities and duties of the Advisory Council.

(e) EXTENSION OF ADVISORY COUNCIL.—Not later than October 1, 2022, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a recommendation on whether the Advisory Council should be extended, and in addition, identify whether there are other committees, councils, or task forces that have overlapping or similar duties to that of the Advisory Council, and whether such committees, councils, or task forces should be combined, including with respect to section 319E(a) of the Public Health Service Act (42 U.S.C. 247d–5(a)).

TITLE VI—ADVANCING TECHNOLOGIES FOR MEDICAL COUNTERMEASURES

SEC. 601. ADMINISTRATION OF COUNTERMEASURES.

Section 319L(c)(4)(D)(iii) (42 U.S.C. 247d–7e(c)(4)(D)(iii)) is amended by striking ''and platform technologies'' and inserting ''platform technologies, technologies to administer countermeasures, and technologies to improve storage and transportation of countermeasures''.

SEC. 602. UPDATING DEFINITIONS OF OTHER TRANSACTIONS.

Section 319L (42 U.S.C. 247d–7e) is amended—

(1) in subsection (a)(3), by striking '', such as'' and all that follows through ''Code''; and

(2) in subsection (c)(5)(A)—

(A) in clause (i), by striking ''under this subsection'' and all that follows through ''Code'' and inserting ''(as defined in subsection (a)(3)) under this subsection''; and

(B) in clause (ii)—

(i) by amending subclause (I) to read as follows:

''(I) IN GENERAL.—To the maximum extent practicable, competitive procedures shall be used when entering into transactions to carry out projects under this subsection.''; and

(ii) in subclause (II)—

(I) by striking ''$20,000,000'' and inserting ''$100,000,000'';

(II) by striking ''senior procurement executive for the Department (as designated for purpose of section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c)))'' and inserting ''Assistant Secretary for Financial Resources''; and

(III) by striking ''senior procurement executive under'' and inserting ''Assistant Secretary for Financial Resources under''.

SEC. 603. MEDICAL COUNTERMEASURE MASTER FILES.

(a) IN GENERAL.—The purpose of this section (including section 565B of the Federal Food, Drug, and Cosmetic Act, as added by subsection (b)) is to support and advance the development or manufacture of security countermeasures, qualified countermeasures, and qualified pandemic or epidemic products by facilitating and encouraging submission of data and information to support the development of such products, and through clarifying the authority to cross-reference to data and information previously submitted to the Secretary of Health and Human Services (referred to in this section as the ''Secretary''), including data and information submitted to medical countermeasure master files or other master files.

(b) MEDICAL COUNTERMEASURE MASTER FILES.—Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by inserting after section 565A the following:

''SEC. 565B. MEDICAL COUNTERMEASURE MASTER FILES.

''(a) APPLICABILITY OF REFERENCE.—

''(1) IN GENERAL.—A person may submit data and information in a master file to the Secretary with the intent to reference, or to authorize, in writing, another person to reference, such data or information to support a medical countermeasure submission (including a supplement or amendment to any such submission), without requiring the master file holder to disclose the data and information to any such persons authorized to reference the master file. Such data and information shall be available for reference by the master file holder or by a person authorized by the master file holder, in accordance with applicable privacy and confidentiality protocols and regulations.

''(2) REFERENCE OF CERTAIN MASTER FILES.—In the case that data or information within a medical countermeasure master file is used only to support the conditional approval of an application filed under section 571, such master file may be relied upon to support the effectiveness of a product that is the subject of a subsequent medical countermeasure submission only if such application is supplemented by additional data or information to support review and approval in a manner consistent with the standards applicable to such review and approval for such countermeasure, qualified countermeasure, or qualified pandemic or epidemic product.

''(b) MEDICAL COUNTERMEASURE MASTER FILE CONTENT.—

''(1) IN GENERAL.—A master file under this section may include data or information to support—

''(A) the development of medical countermeasure submissions to support the approval, licensure, classification, clearance, conditional approval, or authorization of one or more security countermeasures, qualified countermeasures, or qualified pandemic or epidemic products; and

''(B) the manufacture of security countermeasures, qualified countermeasures, or qualified pandemic or epidemic products.

''(2) REQUIRED UPDATES.—The Secretary may require, as appropriate, that the master file holder ensure that the contents of such master file are updated during the time such master file is referenced for a medical countermeasure submission.

''(c) SPONSOR REFERENCE.—

''(1) IN GENERAL.—Each incorporation of data or information within a medical countermeasure master file shall describe the incorporated material in a manner in which the Secretary determines appropriate and that permits the review of such information within such master file without necessitating resubmission of such data or information. Master files shall be submitted in an electronic format in accordance with sections 512(b)(4), 571(a)(4), and 745A, as applicable, and as specified in applicable guidance.

''(2) REFERENCE BY A MASTER FILE HOLDER.—A master file holder that is the sponsor of a medical countermeasure submission shall notify the Secretary in writing of the intent to reference the medical countermeasure master file as a part of the submission.

''(3) REFERENCE BY AN AUTHORIZED PERSON.—A person submitting an application for

review may, where the Secretary determines appropriate, incorporate by reference all or part of the contents of a medical countermeasure master file, if the master file holder authorizes the incorporation in writing.

''(d) ACKNOWLEDGMENT OF AND RELIANCE UPON A MASTER FILE BY THE SECRETARY.—

''(1) IN GENERAL.—The Secretary shall provide the master file holder with a written notification indicating that the Secretary has reviewed and relied upon specified data or information within a master file and the purposes for which such data or information was incorporated by reference if the Secretary has reviewed and relied upon such specified data or information to support the approval, classification, conditional approval, clearance, licensure, or authorization of a security countermeasure, qualified countermeasure, or qualified pandemic or epidemic product. The Secretary may rely upon the data and information within the medical countermeasure master file for which such written notification was provided in additional applications, as applicable and appropriate and upon the request of the master file holder so notified in writing or by an authorized person of such holder.

''(2) CERTAIN APPLICATIONS.—If the Secretary has reviewed and relied upon specified data or information within a medical countermeasure master file to support the conditional approval of an application under section 571 to subsequently support the approval, clearance, licensure, or authorization of a security countermeasure, qualified countermeasure, or qualified pandemic or epidemic product, the Secretary shall provide a brief written description to the master file holder regarding the elements of the application fulfilled by the data or information within the master file and how such data or information contained in such application meets the standards of evidence under subsection (c) or (d) of section 505, subsection (d) of section 512, or section 351 of the Public Health Service Act (as applicable), which shall not include any trade secret or confidential commercial information.

''(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to—

''(1) limit the authority of the Secretary to approve, license, clear, conditionally approve, or authorize drugs, biological products, or devices pursuant to, as applicable, this Act or section 351 of the Public Health Service Act (as such applicable Act is in effect on the day before the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019), including the standards of evidence, and applicable conditions, for approval under the applicable Act;

''(2) alter the standards of evidence with respect to approval, licensure, or clearance, as applicable, of drugs, biological products, or devices under this Act or section 351 of the Public Health Service Act, including, as applicable, the substantial evidence standards under sections 505(d) and 512(d) or this Act and section 351(a) of the Public Health Service Act; or

''(3) alter the authority of the Secretary under this Act or the Public Health Service Act to determine the types of data or information previously submitted by a sponsor or any other person that may be incorporated by reference in an application, request, or notification for a drug, biological product, or device submitted under sections 505(i), 505(b), 505(j), 512(b)(1), 512(b)(2), 512(j), 564, 571, 520(g), 515(c), 513(f)(2), or 510(k) of this Act, or subsection (a) or (k) of section 351 of the Public Health Service Act, including a supplement or amendment to any such submission, and the requirements associated with such reference.

''(f) DEFINITIONS.—In this section:

''(1) The term 'master file holder' means a person who submits data and information to the Secretary with the intent to reference or authorize another person to reference such data or information to support a medical countermeasure submission, as described in subsection (a).

''(2) The term 'medical countermeasure submission' means an investigational new drug application under section 505(i), a new drug application under section 505(b), or an abbreviated new drug application under section 505(j) of this Act, a biological product license application under section 351(a) of the Public Health Service Act or a biosimilar biological product license application under section 351(k) of the Public Health Service Act, a new animal drug application under section 512(b)(1) or abbreviated new animal drug application under section 512(b)(2), an application for conditional approval of a new animal drug under section 571, an investigational device application under section 520(g), an application with respect to a device under section 515(c), a request for classification of a device under section 513(f)(2), a notification with respect to a device under section 510(k), or a request for an emergency use authorization under section 564 to support—

''(A) the approval, licensure, classification, clearance, conditional approval, or authorization of a security countermeasure, qualified countermeasure, or qualified pandemic or epidemic product; or

''(B) a new indication to an approved security countermeasure, qualified countermeasure, or qualified pandemic or epidemic product.

''(3) The terms 'qualified countermeasure', 'security countermeasure', and 'qualified pandemic or epidemic product' have the meanings given such terms in sections 319F–1, 319F–2, and 319F–3, respectively, of the Public Health Service Act.''.

(c) STAKEHOLDER INPUT.—Not later than 18 months after the date of enactment of this Act, the Secretary, acting through the Commissioner of Food and Drugs and in consultation with the Assistant Secretary for Preparedness and Response, shall solicit input from stakeholders, including stakeholders developing security countermeasures, qualified countermeasures, or qualified pandemic or epidemic products, and stakeholders developing technologies to assist in the development of such countermeasures with respect to how the Food and Drug Administration can advance the use of tools and technologies to support and advance the development or manufacture of security countermeasures, qualified countermeasures, and qualified pandemic or epidemic products, including through reliance on cross-referenced data and information contained within master files and submissions previously submitted to the Secretary as set forth in section 565B of the Federal Food, Drug, and Cosmetic Act, as added by subsection (b).

(d) GUIDANCE.—Not later than 2 years after the date of enactment of this Act, the Secretary, acting through the Commissioner of Food and Drugs, shall publish draft guidance about how reliance on cross-referenced data and information contained within master files under section 565B of the Federal Food, Drug, and Cosmetic Act, as added by subsection (b) or submissions otherwise submitted to the Secretary may be used for specific tools or technologies (including platform technologies) that have the potential to support and advance the development or manufacture of security countermeasures, qualified countermeasures, and qualified pandemic or epidemic products. The Secretary, acting through the Commissioner of Food and Drugs, shall publish the final guidance not later than 3 years after the enactment of this Act.

SEC. 604. ANIMAL RULE REPORT.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on the application of the requirements under subsections (c) and (d) of section 565 of the of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4) (referred to in this section as the ''animal rule'') as a component of medical countermeasure advanced development under the Biomedical Advanced Research and Development Authority and regulatory review by the Food and Drug Administration. In conducting such study, the Comptroller General shall examine the following:

(1) The extent to which advanced development and review of a medical countermeasure are coordinated between the Biomedical Advanced Research and Development Authority and the Food and Drug Administration, including activities that facilitate appropriate and efficient design of studies to support approval, licensure, and authorization under the animal rule, consistent with the recommendations in the animal rule guidance, issued pursuant to section 565(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4(c)) and entitled ''Product Development Under the Animal Rule: Guidance for Industry'' (issued in October 2015), to resolve discrepancies in the design of adequate and well-controlled efficacy studies conducted in animal models related to the provision of substantial evidence of effectiveness for the product approved, licensed, or authorized under the animal rule.

(2) The consistency of the application of the animal rule among and between review divisions within the Food and Drug Administration.

(3) The flexibility pursuant to the animal rule to address variations in countermeasure development and review processes, including the extent to which qualified animal models are adopted and used within the Food and Drug Administration in regulatory decision-making with respect to medical countermeasures.

(4) The extent to which the guidance issued under section 565(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4(c)), entitled, ''Product Development Under the Animal Rule: Guidance for Industry'' (issued in October 2015), has assisted in achieving the purposes described in paragraphs (1), (2), and (3).

(b) CONSULTATIONS.—In conducting the study under subsection (a), the Comptroller General of the United States shall consult with—

(1) the Federal agencies responsible for advancing, reviewing, and procuring medical countermeasures, including the Office of the Assistant Secretary for Preparedness and Response, the Biomedical Advanced Research and Development Authority, the Food and Drug Administration, and the Department of Defense;

(2) manufacturers involved in the research and development of medical countermeasures to address biological, chemical, radiological, or nuclear threats; and

(3) other biodefense stakeholders, as applicable.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report containing the results of the study conducted under subsection (a) and recommendations to improve the application and consistency of the requirements under subsections (c) and (d) of section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–4)

to support and expedite the research and development of medical countermeasures, as applicable.

(d) PROTECTION OF NATIONAL SECURITY.—The Comptroller General of the United States shall conduct the study and issue the assessment and report under this section in a manner that does not compromise national security.

SEC. 605. REVIEW OF THE BENEFITS OF GENOMIC ENGINEERING TECHNOLOGIES AND THEIR POTENTIAL ROLE IN NATIONAL SECURITY.

(a) MEETING.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall convene a meeting to discuss the potential role advancements in genomic engineering technologies (including genome editing technologies) may have in advancing national health security. Such meeting shall be held in a manner that does not compromise national security.

(2) ATTENDEES.—The attendees of the meeting under paragraph (1)—

(A) shall include—

(i) representatives from the Office of the Assistant Secretary for Preparedness and Response, the National Institutes of Health, the Centers for Disease Control and Prevention, and the Food and Drug Administration; and

(ii) representatives from academic, private, and nonprofit entities with expertise in genome engineering technologies, biopharmaceuticals, medicine, or biodefense, and other relevant stakeholders; and

(B) may include—

(i) other representatives from the Department of Health and Human Services, as the Secretary determines appropriate; and

(ii) representatives from the Department of Homeland Security, the Department of Defense, the Department of Agriculture, and other departments, as the Secretary may request for the meeting.

(3) TOPICS.—The meeting under paragraph (1) shall include a discussion of—

(A) the current state of the science of genomic engineering technologies related to national health security, including—

(i) medical countermeasure development, including potential efficiencies in the development pathway and detection technologies; and

(ii) the international and domestic regulation of products utilizing genome editing technologies; and

(B) national security implications, including—

(i) capabilities of the United States to leverage genomic engineering technologies as a part of the medical countermeasure enterprise, including current applicable research, development, and application efforts underway within the Department of Defense;

(ii) the potential for state and non-state actors to utilize genomic engineering technologies as a national health security threat; and

(iii) security measures to monitor and assess the potential threat that may result from utilization of genomic engineering technologies and related technologies for the purpose of compromising national health security.

(b) REPORT.—Not later than 270 days after the meeting described in subsection (a) is held, the Assistant Secretary for Preparedness and Response shall issue a report to the congressional committees of jurisdiction on the topics discussed at such meeting, and provide recommendations, as applicable, to utilize innovations in genomic engineering (including genome editing) and related technologies as a part of preparedness and response activities to advance national health security. Such report shall be issued in a manner that does not compromise national security.

SEC. 606. REPORT ON VACCINES DEVELOPMENT.

Not later than one year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing efforts and activities to coordinate with other countries and international partners during recent public health emergencies with respect to the research and advanced research on, and development of, qualified pandemic or epidemic products (as defined in section 319F–3 of the Public Health Service Act (42 U.S.C. 247d–6d)). Such report may include information regarding relevant work carried out under section 319L(c)(5)(E) of the Public Health Service Act (42 U.S.C. 247d–7e(c)(5)(E)), through public-private partnerships, and through collaborations with other countries to assist with or expedite the research and development of qualified pandemic or epidemic products. Such report shall not include information that may compromise national security.

SEC. 607. STRENGTHENING MOSQUITO ABATEMENT FOR SAFETY AND HEALTH.

(a) REAUTHORIZATION OF MOSQUITO ABATEMENT FOR SAFETY AND HEALTH PROGRAM.—Section 317S (42 U.S.C. 247b–21) is amended—

(1) in subsection (a)(1)(B)—

(A) by inserting ''including programs to address emerging infectious mosquito-borne diseases,'' after ''subdivisions for control programs,''; and

(B) by inserting ''or improving existing control programs'' before the period at the end;

(2) in subsection (b)—

(A) in paragraph (1), by inserting '', including improvement,'' after ''operation'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (ii), by striking ''or'' at the end;

(II) in clause (iii), by striking the semicolon at the end and inserting '', including an emerging infectious mosquito-borne disease that presents a serious public health threat; or''; and

(III) by adding at the end the following:

''(iv) a public health emergency due to the incidence or prevalence of a mosquito-borne disease that presents a serious public health threat;''; and

(ii) by amending subparagraph (D) to read as follows:

''(D)(i) is located in a State that has received a grant under subsection (a); or

''(ii) that demonstrates to the Secretary that the control program is consistent with existing State mosquito control plans or policies, or other applicable State preparedness plans.'';

(C) in paragraph (4)(C), by striking ''that extraordinary'' and all that follows through the period at the end and inserting the following: ''that—

''(i) extraordinary economic conditions in the political subdivision or consortium of political subdivisions involved justify the waiver; or

''(ii) the geographical area covered by a political subdivision or consortium for a grant under paragraph (1) has an extreme mosquito control need due to—

''(I) the size or density of the potentially impacted human population;

''(II) the size or density of a mosquito population that requires heightened control; or

''(III) the severity of the mosquito-borne disease, such that expected serious adverse health outcomes for the human population justify the waiver.''; and

(D) by amending paragraph (6) to read as follows:

''(6) NUMBER OF GRANTS.—A political subdivision or a consortium of political subdivisions may not receive more than one grant under paragraph (1).''; and

(3) in subsection (f)—

(A) in paragraph (1) by striking ''for fiscal year 2003, and such sums as may be necessary for each of fiscal years 2004 through 2007'' and inserting ''for each of fiscal years 2019 through 2023'';

(B) in paragraph (2), by striking ''the Public Health Security and Bioterrorism Preparedness and Response Act of 2002'' and inserting ''this Act and other medical and public health preparedness and response laws''; and

(C) in paragraph (3)—

(i) in the paragraph heading, by striking ''2004'' and inserting ''2019''; and

(ii) by striking ''2004,'' and inserting ''2019,''.

(b) EPIDEMIOLOGY-LABORATORY CAPACITY GRANTS.—Section 2821 (42 U.S.C. 300hh–31) is amended—

(1) in subsection (a)(1), by inserting '', including mosquito and other vector-borne diseases,'' after ''infectious diseases''; and

(2) in subsection (b), by striking ''2010 through 2013'' and inserting ''2019 through 2023''.

TITLE VII—MISCELLANEOUS PROVISIONS

SEC. 701. REAUTHORIZATIONS AND EXTENSIONS.

(a) VETERANS AFFAIRS.—Section 8117(g) of title 38, United States Code, is amended by striking ''2014 through 2018'' and inserting ''2019 through 2023''.

(b) VACCINE TRACKING AND DISTRIBUTION.—Section 319A(e) (42 U.S.C. 247d–1(e)) is amended by striking ''2014 through 2018'' and inserting ''2019 through 2023''.

(c) TEMPORARY REASSIGNMENT.—Section 319(e)(8) (42 U.S.C. 247d(e)(8)) is amended by striking ''2018'' and inserting ''2023''.

(d) STRATEGIC INNOVATION PARTNER.—Section 319L(c)(4)(E)(ix) (42 U.S.C. 247d–7e(c)(4)(E)(ix)) is amended by striking ''2022'' and inserting ''2023''.

(e) LIMITED ANTITRUST EXEMPTION.—

(1) IN GENERAL.—Section 405 of the Pandemic and All-Hazards Preparedness Act (Public Law 109–417; 42 U.S.C. 247d–6a note) is amended—

(A) in subsection (a)(1)(A)—

(i) by striking ''Secretary of Health and Human Services (referred to in this subsection as the 'Secretary')'' and inserting ''Secretary'';

(ii) by striking ''of the Public Health Service Act (42 U.S.C. 247d–6b)) (as amended by this Act'';

(iii) by striking ''of the Public Health Service Act (42 U.S.C. 247d–6a)) (as amended by this Act''; and

(iv) by striking ''of the Public Health Service Act (42 U.S.C. 247d–6d)'';

(B) in subsection (b), by striking ''12-year'' and inserting ''17-year'';

(C) by redesignating such section 405 as section 319L–1; and

(D) by transferring such section 319L–1, as redesignated, to the Public Health Service Act (42 U.S.C. 201 et seq.), to appear after section 319L of such Act (42 U.S.C. 247d–7e).

(2) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Pandemic and All-Hazards Preparedness Act (Public Law 109–417) is amended by striking the item related to section 405.

(f) INAPPLICABILITY OF CERTAIN PROVISIONS.—Subsection (e)(1) of section 319L (42 U.S.C. 247d–7e(e)(1)) is amended—

(1) by amending subparagraph (A) to read as follows:

''(A) NONDISCLOSURE OF INFORMATION.—

''(i) IN GENERAL.—Information described in clause (ii) shall be deemed to be information described in section 552(b)(3) of title 5, United States Code.

''(ii) INFORMATION DESCRIBED.—The information described in this clause is information relevant to programs of the Department of Health and Human Services that could compromise national security and reveal significant and not otherwise publicly known vulnerabilities of existing medical or public health defenses against chemical, biological, radiological, or nuclear threats, and is comprised of—

''(I) specific technical data or scientific information that is created or obtained during the countermeasure and product advanced research and development carried out under subsection (c);

''(II) information pertaining to the location security, personnel, and research materials and methods of high-containment laboratories conducting research with select agents, toxins, or other agents with a material threat determination under section 319F–2(c)(2); or

''(III) security and vulnerability assessments.'';

(2) by redesignating subparagraph (C) as subparagraph (D);

(3) by inserting after subparagraph (B) the following:

''(C) REPORTING.—One year after the date of enactment of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, and annually thereafter, the Secretary shall report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives on the number of instances in which the Secretary has used the authority under this subsection to withhold information from disclosure, as well as the nature of any request under section 552 of title 5, United States Code that was denied using such authority.''; and

(4) in subparagraph (D), as so redesignated, by striking ''12'' and inserting ''17''.

SEC. 702. LOCATION OF MATERIALS IN THE STOCKPILE.

Subsection (d) of section 319F–2 (42 U.S.C. 247d–6b) is amended to read as follows:

''(d) DISCLOSURES.—No Federal agency may disclose under section 552 of title 5, United States Code any information identifying the location at which materials in the stockpile described in subsection (a) are stored, or other information regarding the contents or deployment capability of the stockpile that could compromise national security.''.

SEC. 703. CYBERSECURITY.

(a) STRATEGY FOR PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO CYBERSECURITY THREATS.—

(1) STRATEGY.—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall prepare and submit to the relevant committees of Congress a strategy for public health preparedness and response to address cybersecurity threats (as defined in section 102 of Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501)) that present a threat to national health security. Such strategy shall include—

(A) identifying the duties, functions, and preparedness goals for which the Secretary is responsible in order to prepare for and respond to such cybersecurity threats, including metrics by which to measure success in meeting preparedness goals;

(B) identifying gaps in public health capabilities to achieve such preparedness goals; and

(C) strategies to address identified gaps and strengthen public health emergency preparedness and response capabilities to address such cybersecurity threats.

(2) PROTECTION OF NATIONAL SECURITY.—The Secretary shall make such strategy available to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Energy and Commerce of the House of Representatives, and other congressional committees of jurisdiction, in a manner that does not compromise national security.

(b) COORDINATION OF PREPAREDNESS FOR AND RESPONSE TO ALL-HAZARDS PUBLIC HEALTH EMERGENCIES.—Subparagraph (D) of section 2811(b)(4) (42 U.S.C. 300hh–10(b)(4)) is amended to read as follows:

''(D) POLICY COORDINATION AND STRATEGIC DIRECTION.—Provide integrated policy coordination and strategic direction, before, during, and following public health emergencies, with respect to all matters related to Federal public health and medical preparedness and execution and deployment of the Federal response for public health emergencies and incidents covered by the National Response Plan described in section 504(a)(6) of the Homeland Security Act of 2002 (6 U.S.C. 314(a)(6)), or any successor plan; and such Federal responses covered by the National Cybersecurity Incident Response Plan developed under section 228(c) of the Homeland Security Act of 2002 (6 U.S.C. 149(c)), including public health emergencies or incidents related to cybersecurity threats that present a threat to national health security.''.

SEC. 704. STRATEGY AND REPORT.

Not later than 14 days after the date of the enactment of this Act, the Secretary of Health and Human Services, in coordination with the Assistant Secretary for Preparedness and Response and the Assistant Secretary for the Administration on Children and Families or other appropriate office, and in collaboration with other departments, as appropriate, shall submit to the Committee on Energy and Commerce of the House of Representatives, the Committee on Health, Education, Labor, and Pensions of the Senate, and other relevant congressional committees—

(1) a formal strategy, including interdepartmental actions and efforts to reunify children with their parents or guardians, in all cases in which such children have been separated from their parents or guardians as a result of the initiative announced on April 6, 2018, and due to prosecution under section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)), if the parent or guardian chooses such reunification and the child—

(A) was separated from a parent or guardian and placed into a facility funded by the Department of Health and Human Services;

(B) as of the date of the enactment of this Act, remains in the care of the Department of Health and Human Services; and

(C) can be safely reunited with such parent or guardian; and

(2) a report on challenges and deficiencies related to the oversight of, and care for, unaccompanied alien children and appropriately reuniting such children with their parents or guardians, and the actions taken to address any challenges and deficiencies related to unaccompanied alien children in the custody of the Department of Health and Human Services, including deficiencies identified and publicly reported by Congress, the Government Accountability Office, or the inspectors general of the Department of Health and Human Services or other Federal departments.

SEC. 705. TECHNICAL AMENDMENTS.

(a) PUBLIC HEALTH SERVICE ACT.—Title III (42 U.S.C. 241 et seq.) is amended—

(1) in paragraphs (1) and (5) of section 319F–1(a) (42 U.S.C. 247d–6a(a)), by striking ''section 319F(h)'' each place such term appears and inserting ''section 319F(e)''; and

(2) in section 319K(a) (42 U.S.C. 247d–7d(a)), by striking ''section 319F(h)(4)'' and inserting ''section 319F(e)(4)''.

(b) PUBLIC HEALTH SECURITY GRANTS.—Section 319C–1(b)(2) (42 U.S.C. 247d–3a(b)(2)) is amended—

(1) in subparagraph (C), by striking ''individuals,,'' and inserting ''individuals,''; and

(2) in subparagraph (F), by striking ''make satisfactory annual improvement and describe'' and inserting ''makes satisfactory annual improvement and describes''.

(c) EMERGENCY USE INSTRUCTIONS.—Subparagraph (A) of section 564A(e)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3a(e)(2)) is amended by striking ''subsection (a)(1)(C)(i)'' and inserting ''subsection (a)(1)(C)''.

(d) PRODUCTS HELD FOR EMERGENCY USE.—Section 564B(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3b) is amended—

(1) in subparagraph (B), by inserting a comma after ''505''; and

(2) in subparagraph (C), by inserting ''or section 564A'' before the period at the end.

(e) TRANSPARENCY.—Section 507(c)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 357(c)(3)) is amended—

(1) by striking ''Nothing in'' and inserting the following:

''(A) IN GENERAL.—Nothing in'';

(2) by inserting ''or directing'' after ''authorizing'';

(3) by striking ''disclose any'' and inserting ''disclose—

''(i) any'';

(4) by striking the period and inserting ''; or''; and

(5) by adding at the end the following:

''(ii) in the case of a drug development tool that may be used to support the development of a qualified countermeasure, security countermeasure, or qualified pandemic or epidemic product, as defined in sections 319F–1, 319F–2, and 319F–3, respectively, of the Public Health Service Act, any information that the Secretary determines has a significant potential to affect national security.

''(B) PUBLIC ACKNOWLEDGMENT.—In the case that the Secretary, pursuant to subparagraph (A)(ii), does not make information publicly available, the Secretary shall provide on the internet website of the Food and Drug Administration an acknowledgment of the information that has not been disclosed, pursuant to subparagraph (A)(ii).''.

DIVISION B—OVER-THE-COUNTER MONOGRAPH SAFETY, INNOVATION, AND REFORM

SEC. 1000. SHORT TITLE; REFERENCES IN DIVISION.

(a) SHORT TITLE.—This division may be cited as the ''Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2019''.

(b) REFERENCES.—Except as otherwise specified, any reference to ''this Act'' contained in this division shall be treated as referring only to the provisions of this division.

TITLE I—OTC DRUG REVIEW

SEC. 1001. REGULATION OF CERTAIN NONPRESCRIPTION DRUGS THAT ARE MARKETED WITHOUT AN APPROVED DRUG APPLICATION.

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 505F of such Act (21 U.S.C. 355g) the following:

"SEC. 505G. REGULATION OF CERTAIN NONPRESCRIPTION DRUGS THAT ARE MARKETED WITHOUT AN APPROVED DRUG APPLICATION.

''(a) NONPRESCRIPTION DRUGS MARKETED WITHOUT AN APPROVED APPLICATION.—Nonprescription drugs marketed without an approved drug application under section 505, as of the date of the enactment of this section, shall be treated in accordance with this subsection.

''(1) DRUGS SUBJECT TO A FINAL MONOGRAPH; CATEGORY I DRUGS SUBJECT TO A TENTATIVE FINAL MONOGRAPH.—A drug is deemed to be generally recognized as safe and effective under section 201(p)(1), not a new drug under section 201(p), and not subject to section 503(b)(1), if—

''(A) the drug is—

''(i) in conformity with the requirements for nonprescription use of a final monograph issued under part 330 of title 21, Code of Federal Regulations (except as provided in paragraph (2)), the general requirements for nonprescription drugs, and conditions or requirements under subsections (b), (c), and (k); and

''(ii) except as permitted by an order issued under subsection (b) or, in the case of a minor change in the drug, in conformity with an order issued under subsection (c), in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2); or

''(B) the drug is—

''(i) classified in category I for safety and effectiveness under a tentative final monograph that is the most recently applicable proposal or determination issued under part 330 of title 21, Code of Federal Regulations;

''(ii) in conformity with the proposed requirements for nonprescription use of such tentative final monograph, any applicable subsequent determination by the Secretary, the general requirements for nonprescription drugs, and conditions or requirements under subsections (b), (c), and (k); and

''(iii) except as permitted by an order issued under subsection (b) or, in the case of a minor change in the drug, in conformity with an order issued under subsection (c), in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2).

''(2) TREATMENT OF SUNSCREEN DRUGS.—With respect to sunscreen drugs subject to this section, the applicable requirements in terms of conformity with a final monograph, for purposes of paragraph (1)(A)(i), shall be the requirements specified in part 352 of title 21, Code of Federal Regulations, as published on May 21, 1999, beginning on page 27687 of volume 64 of the Federal Register, except that the applicable requirements governing effectiveness and labeling shall be those specified in section 201.327 of title 21, Code of Federal Regulations.

''(3) CATEGORY III DRUGS SUBJECT TO A TENTATIVE FINAL MONOGRAPH; CATEGORY I DRUGS SUBJECT TO PROPOSED MONOGRAPH OR ADVANCE NOTICE OF PROPOSED RULEMAKING.—A drug that is not described in paragraph (1), (2), or (4) is not required to be the subject of an application approved under section 505, and is not subject to section 503(b)(1), if—

''(A) the drug is—

''(i) classified in category III for safety or effectiveness in the preamble of a proposed rule establishing a tentative final monograph that is the most recently applicable proposal or determination for such drug issued under part 330 of title 21, Code of Federal Regulations;

''(ii) in conformity with—

''(I) the conditions of use, including indication and dosage strength, if any, described for such category III drug in such preamble or in an applicable subsequent proposed rule;

''(II) the proposed requirements for drugs classified in such tentative final monograph in category I in the most recently proposed rule establishing requirements related to such tentative final monograph and in any final rule establishing requirements that are applicable to the drug; and

''(III) the general requirements for nonprescription drugs and conditions or requirements under subsection (b) or (k); and

''(iii) in a dosage form that, immediately prior to the date of the enactment of this section, had been used to a material extent and for a material time under section 201(p)(2); or

''(B) the drug is—

''(i) classified in category I for safety and effectiveness under a proposed monograph or advance notice of proposed rulemaking that is the most recently applicable proposal or determination for such drug issued under part 330 of title 21, Code of Federal Regulations;

''(ii) in conformity with the requirements for nonprescription use of such proposed monograph or advance notice of proposed rulemaking, any applicable subsequent determination by the Secretary, the general requirements for nonprescription drugs, and conditions or requirements under subsection (b) or (k); and

''(iii) in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2).

''(4) CATEGORY II DRUGS DEEMED NEW DRUGS.—A drug that is classified in category II for safety or effectiveness under a tentative final monograph or that is subject to a determination to be not generally recognized as safe and effective in a proposed rule that is the most recently applicable proposal issued under part 330 of title 21, Code of Federal Regulations, shall be deemed to be a new drug under section 201(p), misbranded under section 502(ee), and subject to the requirement for an approved new drug application under section 505 beginning on the day that is 180 calendar days after the date of the enactment of this section, unless, before such day, the Secretary determines that it is in the interest of public health to extend the period during which the drug may be marketed without such an approved new drug application.

''(5) DRUGS NOT GRASE DEEMED NEW DRUGS.—A drug that the Secretary has determined not to be generally recognized as safe and effective under section 201(p)(1) under a final determination issued under part 330 of title 21, Code of Federal Regulations, shall be deemed to be a new drug under section 201(p), misbranded under section 502(ee), and subject to the requirement for an approved new drug application under section 505.

''(6) OTHER DRUGS DEEMED NEW DRUGS.—Except as provided in subsection (m), a drug is deemed to be a new drug under section 201(p) and misbranded under section 502(ee) if the drug—

''(A) is not subject to section 503(b)(1); and

''(B) is not described in paragraph (1), (2), (3), (4), or (5), or subsection (b)(1)(B).

''(b) ADMINISTRATIVE ORDERS.—

''(1) IN GENERAL.—

''(A) DETERMINATION.—The Secretary may, on the initiative of the Secretary or at the request of one or more requestors, issue an administrative order determining whether there are conditions under which a specific drug, a class of drugs, or a combination of drugs, is determined to be—

''(i) not subject to section 503(b)(1); and

''(ii) generally recognized as safe and effective under section 201(p)(1).

''(B) EFFECT.—A drug or combination of drugs shall be deemed to not require approval under section 505 if such drug or combination of drugs—

''(i) is determined by the Secretary to meet the conditions specified in clauses (i) and (ii) of subparagraph (A);

''(ii) is marketed in conformity with an administrative order under this subsection;

''(iii) meets the general requirements for nonprescription drugs; and

''(iv) meets the requirements under subsections (c) and (k).

''(C) STANDARD.—The Secretary shall find that a drug is not generally recognized as safe and effective under section 201(p)(1) if—

''(i) the evidence shows that the drug is not generally recognized as safe and effective under section 201(p)(1); or

''(ii) the evidence is inadequate to show that the drug is generally recognized as safe and effective under section 201(p)(1).

''(2) ADMINISTRATIVE ORDERS INITIATED BY THE SECRETARY.—

''(A) IN GENERAL.—In issuing an administrative order under paragraph (1) upon the Secretary's initiative, the Secretary shall—

''(i) make reasonable efforts to notify informally, not later than 2 business days before the issuance of the proposed order, the sponsors of drugs who have a listing in effect under section 510(j) for the drugs or combination of drugs that will be subject to the administrative order;

''(ii) after any such reasonable efforts of notification—

''(I) issue a proposed administrative order by publishing it on the website of the Food and Drug Administration and include in such order the reasons for the issuance of such order; and

''(II) publish a notice of availability of such proposed order in the Federal Register;

''(iii) except as provided in subparagraph (B), provide for a public comment period with respect to such proposed order of not less than 45 calendar days; and

''(iv) if, after completion of the proceedings specified in clauses (i) through (iii), the Secretary determines that it is appropriate to issue a final administrative order—

''(I) issue the final administrative order, together with a detailed statement of reasons, which order shall not take effect until the time for requesting judicial review under paragraph (3)(D)(ii) has expired;

''(II) publish a notice of such final administrative order in the Federal Register;

''(III) afford requestors of drugs that will be subject to such order the opportunity for formal dispute resolution up to the level of the Director of the Center for Drug Evaluation and Research, which initially must be requested within 45 calendar days of the issuance of the order, and, for subsequent levels of appeal, within 30 calendar days of the prior decision; and

''(IV) except with respect to drugs described in paragraph (3)(B), upon completion of the formal dispute resolution procedure, inform the persons which sought such dispute resolution of their right to request a hearing.

''(B) EXCEPTIONS.—When issuing an administrative order under paragraph (1) on the Secretary's initiative proposing to determine that a drug described in subsection (a)(3) is not generally recognized as safe and effective under section 201(p)(1), the Secretary shall follow the procedures in subparagraph (A), except that—

''(i) the proposed order shall include notice of—

''(I) the general categories of data the Secretary has determined necessary to establish that the drug is generally recognized as safe and effective under section 201(p)(1); and

''(II) the format for submissions by interested persons;

''(ii) the Secretary shall provide for a public comment period of no less than 180 calendar days with respect to such proposed order, except when the Secretary determines, for good cause, that a shorter period is in the interest of public health; and

''(iii) any person who submits data in such comment period shall include a certification that the person has submitted all evidence created, obtained, or received by that person that is both within the categories of data identified in the proposed order and relevant to a determination as to whether the drug is generally recognized as safe and effective under section 201(p)(1).

''(3) HEARINGS; JUDICIAL REVIEW.—

''(A) IN GENERAL.—Only a person who participated in each stage of formal dispute resolution under subclause (III) of paragraph (2)(A)(iv) of an administrative order with respect to a drug may request a hearing concerning a final administrative order issued under such paragraph with respect to such drug. If a hearing is sought, such person must submit a request for a hearing, which shall be based solely on information in the administrative record, to the Secretary not later than 30 calendar days after receiving notice of the final decision of the formal dispute resolution procedure.

''(B) NO HEARING REQUIRED WITH RESPECT TO ORDERS RELATING TO CERTAIN DRUGS.—

''(i) IN GENERAL.—The Secretary shall not be required to provide notice and an opportunity for a hearing pursuant to paragraph (2)(A)(iv) if the final administrative order involved relates to a drug—

''(I) that is described in subsection (a)(3)(A); and

''(II) with respect to which no human or non-human data studies relevant to the safety or effectiveness of such drug have been submitted to the administrative record since the issuance of the most recent tentative final monograph relating to such drug.

''(ii) HUMAN DATA STUDIES AND NON-HUMAN DATA DEFINED.—In this subparagraph:

''(I) The term 'human data studies' means clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies.

''(II) The term 'non-human data' means data from testing other than with human subjects which provides information concerning safety or effectiveness.

''(C) HEARING PROCEDURES.—

''(i) DENIAL OF REQUEST FOR HEARING.—If the Secretary determines that information submitted in a request for a hearing under subparagraph (A) with respect to a final administrative order issued under paragraph (2)(A)(iv) does not identify the existence of a genuine and substantial question of material fact, the Secretary may deny such request. In making such a determination, the Secretary may consider only information and data that are based on relevant and reliable scientific principles and methodologies.

''(ii) SINGLE HEARING FOR MULTIPLE RELATED REQUESTS.—If more than one request for a hearing is submitted with respect to the same administrative order under subparagraph (A), the Secretary may direct that a single hearing be conducted in which all persons whose hearing requests were granted may participate.

''(iii) PRESIDING OFFICER.—The presiding officer of a hearing requested under subparagraph (A) shall—

''(I) be designated by the Secretary;

''(II) not be an employee of the Center for Drug Evaluation and Research; and

''(III) not have been previously involved in the development of the administrative order involved or proceedings relating to that administrative order.

''(iv) RIGHTS OF PARTIES TO HEARING.—The parties to a hearing requested under subparagraph (A) shall have the right to present testimony, including testimony of expert witnesses, and to cross-examine witnesses presented by other parties. Where appropriate, the presiding officer may require that cross-examination by parties representing substantially the same interests be consolidated to promote efficiency and avoid duplication.

''(v) FINAL DECISION.—

''(I) At the conclusion of a hearing requested under subparagraph (A), the presiding officer of the hearing shall issue a decision containing findings of fact and conclusions of law. The decision of the presiding officer shall be final.

''(II) The final decision may not take effect until the period under subparagraph (D)(ii) for submitting a request for judicial review of such decision expires.

''(D) JUDICIAL REVIEW OF FINAL ADMINISTRATIVE ORDER.—

''(i) IN GENERAL.—The procedures described in section 505(h) shall apply with respect to judicial review of final administrative orders issued under this subsection in the same manner and to the same extent as such section applies to an order described in such section except that the judicial review shall be taken by filing in an appropriate district court of the United States in lieu of the appellate courts specified in such section.

''(ii) PERIOD TO SUBMIT A REQUEST FOR JUDICIAL REVIEW.—A person eligible to request a hearing under this paragraph and seeking judicial review of a final administrative order issued under this subsection shall file such request for judicial review not later than 60 calendar days after the latest of—

''(I) the date on which notice of such order is published;

''(II) the date on which a hearing with respect to such order is denied under subparagraph (B) or (C)(i);

''(III) the date on which a final decision is made following a hearing under subparagraph (C)(v); or

''(IV) if no hearing is requested, the date on which the time for requesting a hearing expires.

''(4) EXPEDITED PROCEDURE WITH RESPECT TO ADMINISTRATIVE ORDERS INITIATED BY THE SECRETARY.—

''(A) IMMINENT HAZARD TO THE PUBLIC HEALTH.—

''(i) IN GENERAL.—In the case of a determination by the Secretary that a drug, class of drugs, or combination of drugs subject to this section poses an imminent hazard to the public health, the Secretary, after first making reasonable efforts to notify, not later than 48 hours before issuance of such order under this subparagraph, sponsors who have a listing in effect under section 510(j) for such drug or combination of drugs—

''(I) may issue an interim final administrative order for such drug, class of drugs, or combination of drugs under paragraph (1), together with a detailed statement of the reasons for such order;

''(II) shall publish in the Federal Register a notice of availability of any such order; and

''(III) shall provide for a public comment period of at least 45 calendar days with respect to such interim final order.

''(ii) NONDELEGATION.—The Secretary may not delegate the authority to issue an interim final administrative order under this subparagraph.

''(B) SAFETY LABELING CHANGES.—

''(i) IN GENERAL.—In the case of a determination by the Secretary that a change in the labeling of a drug, class of drugs, or combination of drugs subject to this section is reasonably expected to mitigate a significant or unreasonable risk of a serious adverse event associated with use of the drug, the Secretary may—

''(I) make reasonable efforts to notify informally, not later than 48 hours before the issuance of the interim final order, the sponsors of drugs who have a listing in effect under section 510(j) for such drug or combination of drugs;

''(II) after reasonable efforts of notification, issue an interim final administrative order in accordance with paragraph (1) to require such change, together with a detailed statement of the reasons for such order;

''(III) publish in the Federal Register a notice of availability of such order; and

''(IV) provide for a public comment period of at least 45 calendar days with respect to such interim final order.

''(ii) CONTENT OF ORDER.—An interim final order issued under this subparagraph with respect to the labeling of a drug may provide for new warnings and other information required for safe use of the drug.

''(C) EFFECTIVE DATE.—An order under subparagraph (A) or (B) shall take effect on a date specified by the Secretary.

''(D) FINAL ORDER.—After the completion of the proceedings in subparagraph (A) or (B), the Secretary shall—

''(i) issue a final order in accordance with paragraph (1);

''(ii) publish a notice of availability of such final administrative order in the Federal Register; and

''(iii) afford sponsors of such drugs that will be subject to such an order the opportunity for formal dispute resolution up to the level of the Director of the Center for Drug Evaluation and Research, which must initially be within 45 calendar days of the issuance of the order, and for subsequent levels of appeal, within 30 calendar days of the prior decision.

''(E) HEARINGS.—A sponsor of a drug subject to a final order issued under subparagraph (D) and that participated in each stage of formal dispute resolution under clause (iii) of such subparagraph may request a hearing on such order. The provisions of subparagraphs (A), (B), and (C) of paragraph (3), other than paragraph (3)(C)(v)(II), shall apply with respect to a hearing on such order in the same manner and to the same extent as such provisions apply with respect to a hearing on an administrative order issued under paragraph (2)(A)(iv).

''(F) TIMING.—

''(i) FINAL ORDER AND HEARING.—The Secretary shall—

''(I) not later than 6 months after the date on which the comment period closes under subparagraph (A) or (B), issue a final order in accordance with paragraph (1); and

''(II) not later than 12 months after the date on which such final order is issued, complete any hearing under subparagraph (E).

''(ii) DISPUTE RESOLUTION REQUEST.—The Secretary shall specify in an interim final order issued under subparagraph (A) or (B) such shorter periods for requesting dispute resolution under subparagraph (D)(iii) as are necessary to meet the requirements of this subparagraph.

''(G) JUDICIAL REVIEW.—A final order issued pursuant to subparagraph (F) shall be subject to judicial review in accordance with paragraph (3)(D).

''(5) ADMINISTRATIVE ORDER INITIATED AT THE REQUEST OF A REQUESTOR.—

''(A) IN GENERAL.—In issuing an administrative order under paragraph (1) at the request of a requestor with respect to certain drugs, classes of drugs, or combinations of drugs—

''(i) the Secretary shall, after receiving a request under this subparagraph, determine

whether the request is sufficiently complete and formatted to permit a substantive review;

''(ii) if the Secretary determines that the request is sufficiently complete and formatted to permit a substantive review, the Secretary shall—

''(I) file the request; and

''(II) initiate proceedings with respect to issuing an administrative order in accordance with paragraphs (2) and (3); and

''(iii) except as provided in paragraph (6), if the Secretary determines that a request does not meet the requirements for filing or is not sufficiently complete and formatted to permit a substantive review, the requestor may demand that the request be filed over protest, and the Secretary shall initiate proceedings to review the request in accordance with paragraph (2)(A).

''(B) REQUEST TO INITIATE PROCEEDINGS.—

''(i) IN GENERAL.—A requestor seeking an administrative order under paragraph (1) with respect to certain drugs, classes of drugs, or combinations of drugs, shall submit to the Secretary a request to initiate proceedings for such order in the form and manner as specified by the Secretary. Such requestor may submit a request under this subparagraph for the issuance of an administrative order—

''(I) determining whether a drug is generally recognized as safe and effective under section 201(p)(1), exempt from section 503(b)(1), and not required to be the subject of an approved application under section 505; or

''(II) determining whether a change to a condition of use of a drug is generally recognized as safe and effective under section 201(p)(1), exempt from section 503(b)(1), and not required to be the subject of an approved application under section 505, if, absent such a changed condition of use, such drug is—

''(aa) generally recognized as safe and effective under section 201(p)(1) in accordance with subsection (a)(1), (a)(2), or an order under this subsection; or

''(bb) subject to subsection (a)(3), but only if such requestor initiates such request in conjunction with a request for the Secretary to determine whether such drug is generally recognized as safe and effective under section 201(p)(1), which is filed by the Secretary under subparagraph (A)(ii).

''(ii) EXCEPTION.—The Secretary is not required to complete review of a request for a change described in clause (i)(II) if the Secretary determines that there is an inadequate basis to find the drug is generally recognized as safe and effective under section 201(p)(1) under paragraph (1) and issues a final order announcing that determination.

''(iii) WITHDRAWAL.—The requestor may withdraw a request under this paragraph, according to the procedures set forth pursuant to subsection (d)(2)(B). Notwithstanding any other provision of this section, if such request is withdrawn, the Secretary may cease proceedings under this subparagraph.

''(C) EXCLUSIVITY.—

''(i) IN GENERAL.—A final administrative order issued in response to a request under this section shall have the effect of authorizing solely the order requestor (or the licensees, assignees, or successors in interest of such requestor with respect to the subject of such order), for a period of 18 months following the effective date of such final order and beginning on the date the requestor may lawfully market such drugs pursuant to the order, to market drugs—

''(I) incorporating changes described in clause (ii); and

''(II) subject to the limitations under clause (iv).

''(ii) CHANGES DESCRIBED.—A change described in this clause is a change subject to an order specified in clause (i), which—

''(I) provides for a drug to contain an active ingredient (including any ester or salt of the active ingredient) not previously incorporated in a drug described in clause (iii); or

''(II) provides for a change in the conditions of use of a drug, for which new human data studies conducted or sponsored by the requestor (or for which the requestor has an exclusive right of reference) were essential to the issuance of such order.

''(iii) DRUGS DESCRIBED.—The drugs described in this clause are drugs—

''(I) specified in subsection (a)(1), (a)(2), or (a)(3);

''(II) subject to a final order issued under this section;

''(III) subject to a final sunscreen order (as defined in section 586(2)(A)); or

''(IV) described in subsection (m)(1), other than drugs subject to an active enforcement action under chapter III of this Act.

''(iv) LIMITATIONS ON EXCLUSIVITY.—

''(I) IN GENERAL.—Only one 18-month period under this subparagraph shall be granted, under each order described in clause (i), with respect to changes (to the drug subject to such order) which are either—

''(aa) changes described in clause (ii)(I), relating to active ingredients; or

''(bb) changes described in clause (ii)(II), relating to conditions of use.

''(II) NO EXCLUSIVITY ALLOWED.—No exclusivity shall apply to changes to a drug which are—

''(aa) the subject of a Tier 2 OTC monograph order request (as defined in section 744L);

''(bb) safety-related changes, as defined by the Secretary, or any other changes the Secretary considers necessary to assure safe use; or

''(cc) changes related to methods of testing safety or efficacy.

''(v) NEW HUMAN DATA STUDIES DEFINED.—In this subparagraph, the term 'new human data studies' means clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies, the results of which—

''(I) have not been relied on by the Secretary to support—

''(aa) a proposed or final determination that a drug described in subclause (I), (II), or (III) of clause (iii) is generally recognized as safe and effective under section 201(p)(1); or

''(bb) approval of a drug that was approved under section 505; and

''(II) do not duplicate the results of another study that was relied on by the Secretary to support—

''(aa) a proposed or final determination that a drug described in subclause (I), (II), or (III) of clause (iii) is generally recognized as safe and effective under section 201(p)(1); or

''(bb) approval of a drug that was approved under section 505.

''(6) INFORMATION REGARDING SAFE NONPRESCRIPTION MARKETING AND USE AS CONDITION FOR FILING A GENERALLY RECOGNIZED AS SAFE AND EFFECTIVE REQUEST.—

''(A) IN GENERAL.—In response to a request under this section that a drug described in subparagraph (B) be generally recognized as safe and effective, the Secretary—

''(i) may file such request, if the request includes information specified under subparagraph (C) with respect to safe nonprescription marketing and use of such drug; or

''(ii) if the request fails to include information specified under subparagraph (C), shall refuse to file such request and require that nonprescription marketing of the drug be pursuant to a new drug application as described in subparagraph (D).

''(B) DRUG DESCRIBED.—A drug described in this subparagraph is a nonprescription drug which contains an active ingredient not previously incorporated in a drug—

''(i) specified in subsection (a)(1), (a)(2), or (a)(3);

''(ii) subject to a final order under this section; or

''(iii) subject to a final sunscreen order (as defined in section 586(2)(A)).

''(C) INFORMATION DEMONSTRATING PRIMA FACIE SAFE NONPRESCRIPTION MARKETING AND USE.—Information specified in this subparagraph, with respect to a request described in subparagraph (A)(i), is—

''(i) information sufficient for a prima facie demonstration that the drug subject to such request has a verifiable history of being marketed and safely used by consumers in the United States as a nonprescription drug under comparable conditions of use;

''(ii) if the drug has not been previously marketed in the United States as a nonprescription drug, information sufficient for a prima facie demonstration that the drug was marketed and safely used under comparable conditions of marketing and use in a country listed in section 802(b)(1)(A) or designated by the Secretary in accordance with section 802(b)(1)(B)—

''(I) for such period as needed to provide reasonable assurances concerning the safe nonprescription use of the drug; and

''(II) during such time was subject to sufficient monitoring by a regulatory body considered acceptable by the Secretary for such monitoring purposes, including for adverse events associated with nonprescription use of the drug; or

''(iii) if the Secretary determines that information described in clause (i) or (ii) is not needed to provide a prima facie demonstration that the drug can be safely marketed and used as a nonprescription drug, such other information the Secretary determines is sufficient for such purposes.

''(D) MARKETING PURSUANT TO NEW DRUG APPLICATION.—In the case of a request described in subparagraph (A)(ii), the drug subject to such request may be resubmitted for filing only if—

''(i) the drug is marketed as a nonprescription drug, under conditions of use comparable to the conditions specified in the request, for such period as the Secretary determines appropriate (not to exceed 5 consecutive years) pursuant to an application approved under section 505; and

''(ii) during such period, 1,000,000 retail packages of the drug, or an equivalent quantity as determined by the Secretary, were distributed for retail sale, as determined in such manner as the Secretary finds appropriate.

''(E) RULE OF APPLICATION.—Except in the case of a request involving a drug described in section 586(9), as in effect on January 1, 2017, if the Secretary refuses to file a request under this paragraph, the requestor may not file such request over protest under paragraph (5)(A)(iii).

''(7) PACKAGING.—An administrative order issued under paragraph (2), (4)(A), or (5) may include requirements for the packaging of a drug to encourage use in accordance with labeling. Such requirements may include unit dose packaging, requirements for products intended for use by pediatric populations, requirements to reduce risk of harm from unsupervised ingestion, and other appropriate requirements. This paragraph does not authorize the Food and Drug Administration to require standards or testing procedures as described in part 1700 of title 16, Code of Federal Regulations.

''(8) FINAL AND TENTATIVE FINAL MONOGRAPHS FOR CATEGORY I DRUGS DEEMED FINAL ADMINISTRATIVE ORDERS.—

''(A) IN GENERAL.—A final monograph or tentative final monograph described in subparagraph (B) shall be deemed to be a final administrative order under this subsection and may be amended, revoked, or otherwise modified in accordance with the procedures of this subsection.

''(B) MONOGRAPHS DESCRIBED.—For purposes of subparagraph (A), a final monograph or tentative final monograph is described in this subparagraph if it—

''(i) establishes conditions of use for a drug described in paragraph (1) or (2) of subsection (a); and

''(ii) represents the most recently promulgated version of such conditions, including as modified, in whole or in part, by any proposed or final rule.

''(C) DEEMED ORDERS INCLUDE HARMONIZING TECHNICAL AMENDMENTS.—The deemed establishment of a final administrative order under subparagraph (A) shall be construed to include any technical amendments to such order as the Secretary determines necessary to ensure that such order is appropriately harmonized, in terms of terminology or cross-references, with the applicable provisions of this Act (and regulations thereunder) and any other orders issued under this section.

''(c) PROCEDURE FOR MINOR CHANGES.—

''(1) IN GENERAL.—Minor changes in the dosage form of a drug that is described in paragraph (1) or (2) of subsection (a) or the subject of an order issued under subsection (b) may be made by a requestor without the issuance of an order under subsection (b) if—

''(A) the requestor maintains such information as is necessary to demonstrate that the change—

''(i) will not affect the safety or effectiveness of the drug; and

''(ii) will not materially affect the extent of absorption or other exposure to the active ingredient in comparison to a suitable reference product; and

''(B) the change is in conformity with the requirements of an applicable administrative order issued by the Secretary under paragraph (3).

''(2) ADDITIONAL INFORMATION.—

''(A) ACCESS TO RECORDS.—A sponsor shall submit records requested by the Secretary relating to such a minor change under section 704(a)(4), within 15 business days of receiving such a request, or such longer period as the Secretary may provide.

''(B) INSUFFICIENT INFORMATION.—If the Secretary determines that the information contained in such records is not sufficient to demonstrate that the change does not affect the safety or effectiveness of the drug or materially affect the extent of absorption or other exposure to the active ingredient, the Secretary—

''(i) may so inform the sponsor of the drug in writing; and

''(ii) if the Secretary so informs the sponsor, shall provide the sponsor of the drug with a reasonable opportunity to provide additional information.

''(C) FAILURE TO SUBMIT SUFFICIENT INFORMATION.—If the sponsor fails to provide such additional information within a time prescribed by the Secretary, or if the Secretary determines that such additional information does not demonstrate that the change does not—

''(i) affect the safety or effectiveness of the drug; or

''(ii) materially affect the extent of absorption or other exposure to the active ingredient in comparison to a suitable reference product,

the drug as modified is a new drug under section 201(p) and shall be deemed to be misbranded under section 502(ee).

''(3) DETERMINING WHETHER A CHANGE WILL AFFECT SAFETY OR EFFECTIVENESS.—

''(A) IN GENERAL.—The Secretary shall issue one or more administrative orders specifying requirements for determining whether a minor change made by a sponsor pursuant to this subsection will affect the safety or effectiveness of a drug or materially affect the extent of absorption or other exposure to an active ingredient in the drug in comparison to a suitable reference product, together with guidance for applying those orders to specific dosage forms.

''(B) STANDARD PRACTICES.—The orders and guidance issued by the Secretary under subparagraph (A) shall take into account relevant public standards and standard practices for evaluating the quality of drugs, and may take into account the special needs of populations, including children.

''(d) CONFIDENTIALITY OF INFORMATION SUBMITTED TO THE SECRETARY.—

''(1) IN GENERAL.—Subject to paragraph (2), any information, including reports of testing conducted on the drug or drugs involved, that is submitted by a requestor in connection with proceedings on an order under this section (including any minor change under subsection (c)) and is a trade secret or confidential information subject to section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code, shall not be disclosed to the public unless the requestor consents to that disclosure.

''(2) PUBLIC AVAILABILITY.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall—

''(i) make any information submitted by a requestor in support of a request under subsection (b)(5)(A) available to the public not later than the date on which the proposed order is issued; and

''(ii) make any information submitted by any other person with respect to an order requested (or initiated by the Secretary) under subsection (b), available to the public upon such submission.

''(B) LIMITATIONS ON PUBLIC AVAILABILITY.—Information described in subparagraph (A) shall not be made public if—

''(i) the information pertains to pharmaceutical quality information, unless such information is necessary to establish standards under which a drug is generally recognized as safe and effective under section 201(p)(1);

''(ii) the information is submitted in a requestor-initiated request, but the requestor withdraws such request, in accordance with withdrawal procedures established by the Secretary, before the Secretary issues the proposed order;

''(iii) the Secretary requests and obtains the information under subsection (c) and such information is not submitted in relation to an order under subsection (b); or

''(iv) the information is of the type contained in raw datasets.

''(e) UPDATES TO DRUG LISTING INFORMATION.—A sponsor who makes a change to a drug subject to this section shall submit updated drug listing information for the drug in accordance with section 510(j) within 30 calendar days of the date when the drug is first commercially marketed, except that a sponsor who was the order requestor with respect to an order subject to subsection (b)(5)(C) (or a licensee, assignee, or successor in interest of such requestor) shall submit updated drug listing information on or before the date when the drug is first commercially marketed.

''(f) APPROVALS UNDER SECTION 505.—The provisions of this section shall not be construed to preclude a person from seeking or maintaining the approval of an application for a drug under sections 505(b)(1), 505(b)(2), and 505(j). A determination under this section that a drug is not subject to section 503(b)(1), is generally recognized as safe and effective under section 201(p)(1), and is not a new drug under section 201(p) shall constitute a finding that the drug is safe and effective that may be relied upon for purposes of an application under section 505(b)(2), so that the applicant shall be required to submit for purposes of such application only information needed to support any modification of the drug that is not covered by such determination under this section.

''(g) PUBLIC AVAILABILITY OF ADMINISTRATIVE ORDERS.—The Secretary shall establish, maintain, update (as determined necessary by the Secretary but no less frequently than annually), and make publicly available, with respect to orders issued under this section—

''(1) a repository of each final order and interim final order in effect, including the complete text of the order; and

''(2) a listing of all orders proposed and under development under subsection (b)(2), including—

''(A) a brief description of each such order; and

''(B) the Secretary's expectations, if resources permit, for issuance of proposed orders over a 3-year period.

''(h) DEVELOPMENT ADVICE TO SPONSORS OR REQUESTORS.—The Secretary shall establish procedures under which sponsors or requestors may meet with appropriate officials of the Food and Drug Administration to obtain advice on the studies and other information necessary to support submissions under this section and other matters relevant to the regulation of nonprescription drugs and the development of new nonprescription drugs under this section.

''(i) PARTICIPATION OF MULTIPLE SPONSORS OR REQUESTORS.—The Secretary shall establish procedures to facilitate efficient participation by multiple sponsors or requestors in proceedings under this section, including provision for joint meetings with multiple sponsors or requestors or with organizations nominated by sponsors or requestors to represent their interests in a proceeding.

''(j) ELECTRONIC FORMAT.—All submissions under this section shall be in electronic format.

''(k) EFFECT ON EXISTING REGULATIONS GOVERNING NONPRESCRIPTION DRUGS.—

''(1) REGULATIONS OF GENERAL APPLICABILITY TO NONPRESCRIPTION DRUGS.—Except as provided in this subsection, nothing in this section supersedes regulations establishing general requirements for nonprescription drugs, including regulations of general applicability contained in parts 201, 250, and 330 of title 21, Code of Federal Regulations, or any successor regulations. The Secretary shall establish or modify such regulations by means of rulemaking in accordance with section 553 of title 5, United States Code.

''(2) REGULATIONS ESTABLISHING REQUIREMENTS FOR SPECIFIC NONPRESCRIPTION DRUGS.—

''(A) The provisions of section 310.545 of title 21, Code of Federal Regulations, as in effect on the day before the date of the enactment of this section, shall be deemed to be a final order under subsection (b).

''(B) Regulations in effect on the day before the date of the enactment of this section, establishing requirements for specific nonprescription drugs marketed pursuant to this section (including such requirements in parts 201 and 250 of title 21, Code of Federal Regulations), shall be deemed to be final orders under subsection (b), only as they apply to drugs—

''(i) subject to paragraph (1), (2), (3), or (4) of subsection (a); or

''(ii) otherwise subject to an order under this section.

''(3) WITHDRAWAL OF REGULATIONS.—The Secretary shall withdraw regulations establishing final monographs and the procedures governing the over-the-counter drug review under part 330 and other relevant parts of title 21, Code of Federal Regulations (as in effect on the day before the date of the enactment of this section), or make technical changes to such regulations to ensure conformity with appropriate terminology and cross references. Notwithstanding subchapter II of chapter 5 of title 5, United States Code, any such withdrawal or technical changes shall be made without public notice and comment and shall be effective upon publication through notice in the Federal Register (or upon such date as specified in such notice).

''(l) GUIDANCE.—The Secretary shall issue guidance that specifies—

''(1) the procedures and principles for formal meetings between the Secretary and sponsors or requestors for drugs subject to this section;

''(2) the format and content of data submissions to the Secretary under this section;

''(3) the format of electronic submissions to the Secretary under this section;

''(4) consolidated proceedings for appeal and the procedures for such proceedings where appropriate; and

''(5) for minor changes in drugs, recommendations on how to comply with the requirements in orders issued under subsection (c)(3).

''(m) RULE OF CONSTRUCTION.—

''(1) IN GENERAL.—This section shall not affect the treatment or status of a nonprescription drug—

''(A) that is marketed without an application approved under section 505 as of the date of the enactment of this section;

''(B) that is not subject to an order issued under this section; and

''(C) to which paragraphs (1), (2), (3), (4), or (5) of subsection (a) do not apply.

''(2) TREATMENT OF PRODUCTS PREVIOUSLY FOUND TO BE SUBJECT TO TIME AND EXTENT REQUIREMENTS.—

''(A) Notwithstanding subsection (a), a drug described in subparagraph (B) may only be lawfully marketed, without an application approved under section 505, pursuant to an order issued under this section.

''(B) A drug described in this subparagraph is a drug which, prior to the date of the enactment of this section, the Secretary determined in a proposed or final rule to be ineligible for review under the OTC drug review (as such phrase 'OTC drug review' was used in section 330.14 of title 21, Code of Federal Regulations, as in effect on the day before the date of the enactment of this section).

''(3) PRESERVATION OF AUTHORITY.—

''(A) Nothing in paragraph (1) shall be construed to preclude or limit the applicability of any provision of this Act other than this section.

''(B) Nothing in subsection (a) shall be construed to prohibit the Secretary from issuing an order under this section finding a drug to be not generally recognized as safe and effective under section 201(p)(1), as the Secretary determines appropriate.

''(n) INVESTIGATIONAL NEW DRUGS.—A drug is not subject to this section if an exemption for investigational use under section 505(i) is in effect for such drug.

''(o) INAPPLICABILITY OF PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code, shall not apply to collections of information made under this section.

''(p) INAPPLICABILITY OF NOTICE AND COMMENT RULEMAKING AND OTHER REQUIREMENTS.—The requirements of subsection (b) shall apply with respect to orders issued under this section instead of the requirements of subchapter II of chapter 5 of title 5, United States Code.

''(q) DEFINITIONS.—In this section:

''(1) The term 'nonprescription drug' refers to a drug not subject to the requirements of section 503(b)(1).

''(2) The term 'sponsor' refers to any person marketing, manufacturing, or processing a drug that—

''(A) is listed pursuant to section 510(j); and

''(B) is or will be subject to an administrative order under this section of the Food and Drug Administration.

''(3) The term 'requestor' refers to any person or group of persons marketing, manufacturing, processing, or developing a drug.''.

(b) GAO STUDY.—Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a study to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate addressing the effectiveness and overall impact of exclusivity under section 505G of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a), and section 586C of such Act (21 U.S.C. 360fff–3), including the impact of such exclusivity on consumer access. Such study shall include—

(1) an analysis of the impact of exclusivity under such section 505G for nonprescription drug products, including—

(A) the number of nonprescription drug products that were granted exclusivity and the indication for which the nonprescription drug products were determined to be generally recognized as safe and effective;

(B) whether the exclusivity for such drug products was granted for—

(i) a new active ingredient (including any ester or salt of the active ingredient); or

(ii) changes in the conditions of use of a drug, for which new human data studies conducted or sponsored by the requestor were essential;

(C) whether, and to what extent, the exclusivity impacted the requestor's or sponsor's decision to develop the drug product;

(D) an analysis of the implementation of the exclusivity provision in such section 505G, including—

(i) the resources used by the Food and Drug Administration;

(ii) the impact of such provision on innovation, as well as research and development in the nonprescription drug market;

(iii) the impact of such provision on competition in the nonprescription drug market;

(iv) the impact of such provision on consumer access to nonprescription drug products;

(v) the impact of such provision on the prices of nonprescription drug products; and

(vi) whether the administrative orders initiated by requestors under such section 505G have been sufficient to encourage the development of nonprescription drug products that would likely not be otherwise developed, or developed in as timely a manner; and

(E) whether the administrative orders initiated by requestors under such section 505G have been sufficient incentive to encourage innovation in the nonprescription drug market; and

(2) an analysis of the impact of exclusivity under such section 586C for sunscreen ingredients, including—

(A) the number of sunscreen ingredients that were granted exclusivity and the specific ingredient that was determined to be generally recognized as safe and effective;

(B) whether, and to what extent, the exclusivity impacted the requestor's or sponsor's decision to develop the sunscreen ingredient;

(C) whether, and to what extent, the sunscreen ingredient granted exclusivity had previously been available outside of the United States;

(D) an analysis of the implementation of the exclusivity provision in such section 586C, including—

(i) the resources used by the Food and Drug Administration;

(ii) the impact of such provision on innovation, as well as research and development in the sunscreen market;

(iii) the impact of such provision on competition in the sunscreen market;

(iv) the impact of such provision on consumer access to sunscreen products;

(v) the impact of such provision on the prices of sunscreen products; and

(vi) whether the administrative orders initiated by requestors under such section 505G have been utilized by sunscreen ingredient sponsors and whether such process has been sufficient to encourage the development of sunscreen ingredients that would likely not be otherwise developed, or developed in as timely a manner; and

(E) whether the administrative orders initiated by requestors under such section 586C have been sufficient incentive to encourage innovation in the sunscreen market.

(c) CONFORMING AMENDMENT.—Section 751(d)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379r(d)(1)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking ''final regulation promulgated'' and inserting ''final order under section 505G''; and

(B) by striking ''and not misbranded''; and

(2) in subparagraph (A), by striking ''regulation in effect'' and inserting ''regulation or order in effect''.

SEC. 1002. MISBRANDING.

Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352) is amended by adding at the end the following:

''(ee) If it is a nonprescription drug that is subject to section 505G, is not the subject of an application approved under section 505, and does not comply with the requirements under section 505G.

''(ff) If it is a drug and it was manufactured, prepared, propagated, compounded, or processed in a facility for which fees have not been paid as required by section 744M.''.

SEC. 1003. DRUGS EXCLUDED FROM THE OVER-THE-COUNTER DRUG REVIEW.

(a) IN GENERAL.—Nothing in this Act (or the amendments made by this Act) shall apply to any nonprescription drug (as defined in section 505G(q) of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act) which was excluded by the Food and Drug Administration from the Over-the-Counter Drug Review in accordance with the paragraph numbered 25 on page 9466 of volume 37 of the Federal Register, published on May 11, 1972.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude or limit the applicability of any other provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

SEC. 1004. TREATMENT OF SUNSCREEN INNOVATION ACT.

(a) REVIEW OF NONPRESCRIPTION SUNSCREEN ACTIVE INGREDIENTS.—

(1) APPLICABILITY OF SECTION 505G FOR PENDING SUBMISSIONS.—

(A) IN GENERAL.—A sponsor of a nonprescription sunscreen active ingredient or combination of nonprescription sunscreen active ingredients that, as of the date of enactment of this Act, is subject to a proposed sunscreen order under section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff–3) may elect, by means of giving

written notification to the Secretary of Health and Human Services within 180 calendar days of the enactment of this Act, to transition into the review of such ingredient or combination of ingredients pursuant to the process set out in section 505G of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act.

(B) ELECTION EXERCISED.—Upon receipt by the Secretary of Health and Human Services of a timely notification under subparagraph (A)—

(i) the proposed sunscreen order involved is deemed to be a request for an order under subsection (b) of section 505G of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act; and

(ii) such order is deemed to have been accepted for filing under subsection (b)(6)(A)(i) of such section 505G.

(C) ELECTION NOT EXERCISED.—If a notification under subparagraph (A) is not received by the Secretary of Health and Human Services within 180 calendar days of the date of enactment of this Act, the review of the proposed sunscreen order described in subparagraph (A)—

(i) shall continue under section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff–3); and

(ii) shall not be eligible for review under section 505G, added by section 1001 of this Act.

(2) DEFINITIONS.—In this subsection, the terms ''sponsor'', ''nonprescription'', ''sunscreen active ingredient'', and ''proposed sunscreen order'' have the meanings given to those terms in section 586 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff).

(b) AMENDMENTS TO SUNSCREEN PROVISIONS.—

(1) FINAL SUNSCREEN ORDERS.—Paragraph (3) of section 586C(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff–3(e)) is amended to read as follows:

''(3) RELATIONSHIP TO ORDERS UNDER SECTION 505G.—A final sunscreen order shall be deemed to be a final order under section 505G.''.

(2) MEETINGS.—Paragraph (7) of section 586C(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff–3(b)) is amended—

(A) by striking ''A sponsor may request'' and inserting the following:

''(A) IN GENERAL.—A sponsor may request''; and

(B) by adding at the end the following:

''(B) CONFIDENTIAL MEETINGS.—A sponsor may request one or more confidential meetings with respect to a proposed sunscreen order, including a letter deemed to be a proposed sunscreen order under paragraph (3), to discuss matters relating to data requirements to support a general recognition of safety and effectiveness involving confidential information and public information related to such proposed sunscreen order, as appropriate. The Secretary shall convene a confidential meeting with such sponsor in a reasonable time period. If a sponsor requests more than one confidential meeting for the same proposed sunscreen order, the Secretary may refuse to grant an additional confidential meeting request if the Secretary determines that such additional confidential meeting is not reasonably necessary for the sponsor to advance its proposed sunscreen order, or if the request for a confidential meeting fails to include sufficient information upon which to base a substantive discussion. The Secretary shall publish a post-meeting summary of each confidential meeting under this subparagraph that does not disclose confidential commercial information or trade secrets. This subparagraph does not authorize the disclosure of confidential commercial information or trade secrets subject to 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.''.

(3) EXCLUSIVITY.—Section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff–3) is amended by adding at the end the following:

''(f) EXCLUSIVITY.—

''(1) IN GENERAL.—A final sunscreen order shall have the effect of authorizing solely the order requestor (or the licensees, assignees, or successors in interest of such requestor with respect to the subject of such request and listed under paragraph (5)) for a period of 18 months, to market a sunscreen ingredient under this section incorporating changes described in paragraph (2) subject to the limitations under paragraph (4), beginning on the date the requestor (or any licensees, assignees, or successors in interest of such requestor with respect to the subject of such request and listed under paragraph (5)) may lawfully market such sunscreen ingredient pursuant to the order.

''(2) CHANGES DESCRIBED.—A change described in this paragraph is a change subject to an order specified in paragraph (1) that permits a sunscreen to contain an active sunscreen ingredient not previously incorporated in a marketed sunscreen listed in paragraph (3).

''(3) MARKETED SUNSCREEN.—The marketed sunscreen ingredients described in this paragraph are sunscreen ingredients—

''(A) marketed in accordance with a final monograph for sunscreen drug products set forth at part 352 of title 21, Code of Federal Regulations (as published at 64 Fed. Reg. 27687); or

''(B) marketed in accordance with a final order issued under this section.

''(4) LIMITATIONS ON EXCLUSIVITY.—Only one 18-month period may be granted per ingredient under paragraph (1).

''(5) LISTING OF LICENSEES, ASSIGNEES, OR SUCCESSORS IN INTEREST.—Requestors shall submit to the Secretary at the time when a drug subject to such request is introduced or delivered for introduction into interstate commerce, a list of licensees, assignees, or successors in interest under paragraph (1).''.

(4) SUNSET PROVISION.—Subchapter I of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff et seq.) is amended by adding at the end the following:

''SEC. 586H. SUNSET.

''This subchapter shall cease to be effective at the end of fiscal year 2022.''.

(5) TREATMENT OF FINAL SUNSCREEN ORDER.—The Federal Food, Drug, and Cosmetic Act is amended by striking section 586E of such Act (21 U.S.C. 360fff–5).

(c) TREATMENT OF AUTHORITY REGARDING FINALIZATION OF SUNSCREEN MONOGRAPH.—

(1) IN GENERAL.—

(A) REVISION OF FINAL SUNSCREEN ORDER.—Not later than November 26, 2019, the Secretary of Health and Human Services (referred to in this subsection as the ''Secretary'') shall amend and revise the final administrative order concerning nonprescription sunscreen (referred to in this subsection as the ''sunscreen order'') for which the content, prior to the date of enactment of this Act, was represented by the final monograph for sunscreen drug products set forth in part 352 of title 21, Code of Federal Regulations (as in effect on May 21, 1999).

(B) ISSUANCE OF REVISED SUNSCREEN ORDER; EFFECTIVE DATE.—A revised sunscreen order described in subparagraph (A) shall be—

(i) issued in accordance with the procedures described in section 505G(c)(2) of the Federal Food, Drug, and Cosmetic Act;

(ii) issued in proposed form not later than May 28, 2019;

(iii) effective not later than November 26, 2020; and

(iv) issued by the Secretary at least 1 year prior to the effective date of the revised order.

(2) REPORTS.—If a revised sunscreen order issued under paragraph (1) does not include provisions related to the effectiveness of various sun protection factor levels, and does not address all dosage forms known to the Secretary to be used in sunscreens marketed in the United States without a new drug application approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), the Secretary shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate on the rationale for omission of such provisions from such order, and a plan and timeline to compile any information necessary to address such provisions through such order.

(d) TREATMENT OF NON-SUNSCREEN TIME AND EXTENT APPLICATIONS.—

(1) IN GENERAL.—Any application described in section 586F of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff–6) that was submitted to the Secretary pursuant to section 330.14 of title 21, Code of Federal Regulations, as such provisions were in effect immediately prior to the date of enactment date of this Act, shall be extinguished as of such date of enactment, subject to paragraph (2).

(2) ORDER REQUEST.—Nothing in paragraph (1) precludes the submission of an order request under section 505G(b) of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act, with respect to a drug that was the subject of an application extinguished under paragraph (1).

SEC. 1005. ANNUAL UPDATE TO CONGRESS ON APPROPRIATE PEDIATRIC INDICATION FOR CERTAIN OTC COUGH AND COLD DRUGS.

(a) IN GENERAL.—Subject to subsection (c), the Secretary of Health and Human Services shall, beginning not later than 1 year after the date of enactment of this Act, annually submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a letter describing the progress of the Food and Drug Administration—

(1) in evaluating the cough and cold monograph described in subsection (b) with respect to children under age 6; and

(2) as appropriate, revising such cough and cold monograph to address such children through the order process under section 505G(b) of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act.

(b) COUGH AND COLD MONOGRAPH DESCRIBED.—The cough and cold monograph described in this subsection consists of the conditions under which nonprescription drugs containing antitussive, expectorant, nasal decongestant, or antihistamine active ingredients (or combinations thereof) are generally recognized as safe and effective, as specified in part 341 of title 21, Code of Federal Regulations (as in effect immediately prior to the date of enactment of this Act), and included in an order deemed to be established under section 505G(b) of the Federal Food, Drug, and Cosmetic Act, as added by section 1001 of this Act.

(c) DURATION OF AUTHORITY.—The requirement under subsection (a) shall terminate as of the date of a letter submitted by the Secretary of Health and Human Services pursuant to such subsection in which the Secretary indicates that the Food and Drug Administration has completed its evaluation and revised, in a final order, as applicable, the cough and cold monograph as described in subsection (a)(2).

SEC. 1006. TECHNICAL CORRECTIONS.

(a) IMPORTS AND EXPORTS.—Section 801(e)(4)(E)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(e)(4)(E)(iii)) is amended by striking ''subparagraph'' each place such term appears and inserting ''paragraph''.

(b) FDA REAUTHORIZATION ACT OF 2017.—

(1) IN GENERAL.—Section 905(b)(4) of the FDA Reauthorization Act of 2017 (Public Law115–52) is amended by striking ''Section 744H(e)(2)(B)'' and inserting ''Section 744H(f)(2)(B)''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as of the enactment of the FDA Reauthorization Act of 2017 (Public Law 115–52).

TITLE II—USER FEES

SEC. 2001. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the ''Over-the-Counter Monograph User Fee Act of 2019''.

(b) FINDING.—The Congress finds that the fees authorized by the amendments made in this title will be dedicated to OTC monograph drug activities, as set forth in the goals identified for purposes of part 10 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

SEC. 2002. FEES RELATING TO OVER-THE-COUNTER DRUGS.

Subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379f et seq.) is amended by inserting after part 9 the following:

''PART 10—FEES RELATING TO OVER-THE-COUNTER DRUGS

''SEC. 744L. DEFINITIONS.

''In this part:

''(1) The term 'affiliate' means a business entity that has a relationship with a second business entity if, directly or indirectly—

''(A) one business entity controls, or has the power to control, the other business entity; or

''(B) a third party controls, or has power to control, both of the business entities.

''(2) The term 'contract manufacturing organization facility' means an OTC monograph drug facility where neither the owner of such manufacturing facility nor any affiliate of such owner or facility sells the OTC monograph drug produced at such facility directly to wholesalers, retailers, or consumers in the United States.

''(3) The term 'costs of resources allocated for OTC monograph drug activities' means the expenses in connection with OTC monograph drug activities for—

''(A) officers and employees of the Food and Drug Administration, contractors of the Food and Drug Administration, advisory committees, and costs related to such officers, employees, and committees and costs related to contracts with such contractors;

''(B) management of information, and the acquisition, maintenance, and repair of computer resources;

''(C) leasing, maintenance, renovation, and repair of facilities and acquisition, maintenance, and repair of fixtures, furniture, scientific equipment, and other necessary materials and supplies; and

''(D) collecting fees under section 744M and accounting for resources allocated for OTC monograph drug activities.

''(4) The term 'FDA establishment identifier' is the unique number automatically generated by Food and Drug Administration's Field Accomplishments and Compliance Tracking System (FACTS) (or any successor system).

''(5) The term 'OTC monograph drug' means a nonprescription drug without an approved new drug application which is governed by the provisions of section 505G.

''(6) The term 'OTC monograph drug activities' means activities of the Secretary associated with OTC monograph drugs and inspection of facilities associated with such products, including the following activities:

''(A) The activities necessary for review and evaluation of OTC monographs and OTC monograph order requests, including—

''(i) orders proposing or finalizing applicable conditions of use for OTC monograph drugs;

''(ii) orders affecting status regarding general recognition of safety and effectiveness of an OTC monograph ingredient or combination of ingredients under specified conditions of use;

''(iii) all OTC monograph drug development and review activities, including intra-agency collaboration;

''(iv) regulation and policy development activities related to OTC monograph drugs;

''(v) development of product standards for products subject to review and evaluation;

''(vi) meetings referred to in section 505G(i);

''(vii) review of labeling prior to issuance of orders related to OTC monograph drugs or conditions of use; and

''(viii) regulatory science activities related to OTC monograph drugs.

''(B) Inspections related to OTC monograph drugs.

''(C) Monitoring of clinical and other research conducted in connection with OTC monograph drugs.

''(D) Safety activities with respect to OTC monograph drugs, including—

''(i) collecting, developing, and reviewing safety information on OTC monograph drugs, including adverse event reports;

''(ii) developing and using improved adverse event data-collection systems, including information technology systems; and

''(iii) developing and using improved analytical tools to assess potential safety risks, including access to external databases.

''(E) Other activities necessary for implementation of section 505G.

''(7) The term 'OTC monograph order request' means a request for an order submitted under section 505G(b)(5).

''(8) The term 'Tier 1 OTC monograph order request' means any OTC monograph order request not determined to be a Tier 2 OTC monograph order request.

''(9)(A) The term 'Tier 2 OTC monograph order request' means, subject to subparagraph (B), an OTC monograph order request for—

''(i) the reordering of existing information in the drug facts label of an OTC monograph drug;

''(ii) the addition of information to the other information section of the drug facts label of an OTC monograph drug, as limited by section 201.66(c)(7) of title 21, Code of Federal Regulations (or any successor regulations);

''(iii) modification to the directions for use section of the drug facts label of an OTC monograph drug, if such changes conform to changes made pursuant to section 505G(c)(3)(A);

''(iv) the standardization of the concentration or dose of a specific finalized ingredient within a particular finalized monograph;

''(v) a change to ingredient nomenclature to align with nomenclature of a standards-setting organization; or

''(vi) addition of an interchangeable term in accordance with section 330.1 of title 21, Code of Federal Regulations (or any successor regulations).

''(B) The Secretary may, based on program implementation experience or other factors found appropriate by the Secretary, characterize any OTC monograph order request as a Tier 2 OTC monograph order request (including recharacterizing a request from Tier 1 to Tier 2) and publish such determination in a proposed order issued pursuant to section 505G.

''(10)(A) The term 'OTC monograph drug facility' means a foreign or domestic business or other entity that—

''(i) is—

''(I) under one management, either direct or indirect; and

''(II) at one geographic location or address engaged in manufacturing or processing the finished dosage form of an OTC monograph drug;

''(ii) includes a finished dosage form manufacturer facility in a contractual relationship with the sponsor of one or more OTC monograph drugs to manufacture or process such drugs; and

''(iii) does not include a business or other entity whose only manufacturing or processing activities are one or more of the following: production of clinical research supplies, testing, or placement of outer packaging on packages containing multiple products, for such purposes as creating multipacks, when each monograph drug product contained within the overpackaging is already in a final packaged form prior to placement in the outer overpackaging.

''(B) For purposes of subparagraph (A)(i)(II), separate buildings or locations within close proximity are considered to be at one geographic location or address if the activities conducted in such buildings or locations are—

''(i) closely related to the same business enterprise;

''(ii) under the supervision of the same local management; and

''(iii) under a single FDA establishment identifier and capable of being inspected by the Food and Drug Administration during a single inspection.

''(C) If a business or other entity would meet criteria specified in subparagraph (A), but for being under multiple management, the business or other entity is deemed to constitute multiple facilities, one per management entity, for purposes of this paragraph.

''(11) The term 'OTC monograph drug meeting' means any meeting regarding the content of a proposed OTC monograph order request.

''(12) The term 'person' includes an affiliate of a person.

''(13) The terms 'requestor' and 'sponsor' have the meanings given such terms in section 505G.

''SEC. 744M. AUTHORITY TO ASSESS AND USE OTC MONOGRAPH FEES.

''(a) TYPES OF FEES.—Beginning with fiscal year 2019, the Secretary shall assess and collect fees in accordance with this section as follows:

''(1) FACILITY FEE.—

''(A) IN GENERAL.—Each person that owns a facility identified as an OTC monograph drug facility on December 31 of the fiscal year or at any time during the preceding 12-month period shall be assessed an annual fee for each such facility as determined under subsection (c).

''(B) EXCEPTIONS.—

''(i) A fee shall not be assessed under subparagraph (A) if the identified OTC monograph drug facility—

''(I) has ceased all activities related to OTC monograph drugs prior to January 31,

2019, for the first program year, and December 31 of the fiscal year for subsequent fiscal years; and

''(II) has updated its registration to reflect such change under the requirements for drug establishment registration set forth in section 510.

''(ii) The amount of the fee for a contract manufacturing organization facility shall be equal to two-thirds of the amount of the fee for an OTC monograph drug facility that is not a contract manufacturing organization facility.

''(C) AMOUNT.—The amount of fees established under subparagraph (A) shall be established under subsection (c).

''(D) DUE DATE.—

''(i) FOR FIRST PROGRAM YEAR.—For fiscal year 2019, the facility fees required under subparagraph (A) shall be due 45 calendar days after publication of the Federal Register notice provided for under subsection (c)(4)(A).

''(ii) SUBSEQUENT FISCAL YEARS.—For each fiscal year after fiscal year 2019, the facility fees required under subparagraph (A) shall be due on the later of—

''(I) the first business day of June of such year; or

''(II) the first business day after the enactment of an appropriations Act providing for the collection and obligation of fees under this section for such year.

''(2) OTC MONOGRAPH ORDER REQUEST FEE.—

''(A) IN GENERAL.—Each person that submits an OTC monograph order request shall be subject to a fee for an OTC monograph order request. The amount of such fee shall be—

''(i) for a Tier 1 OTC monograph order request, $500,000, adjusted for inflation for the fiscal year (as determined under subsection (c)(1)(B)); and

''(ii) for a Tier 2 OTC monograph order request, $100,000 adjusted for inflation for the fiscal year (as determined under subsection (c)(1)(B)).

''(B) DUE DATE.—The OTC monograph order request fees required under subparagraph (A) shall be due on the date of submission of the OTC monograph order request.

''(C) EXCEPTION FOR CERTAIN SAFETY CHANGES.—A person who is named as the requestor in an OTC monograph order shall not be subject to a fee under subparagraph (A) if the Secretary finds that the OTC monograph order request seeks to change the drug facts labeling of an OTC monograph drug in a way that would add to or strengthen—

''(i) a contraindication, warning, or precaution;

''(ii) a statement about risk associated with misuse or abuse; or

''(iii) an instruction about dosage and administration that is intended to increase the safe use of the OTC monograph drug.

''(D) REFUND OF FEE IF ORDER REQUEST IS RECATEGORIZED AS A TIER 2 OTC MONOGRAPH ORDER REQUEST.—If the Secretary determines that an OTC monograph request initially characterized as Tier 1 shall be re-characterized as a Tier 2 OTC monograph order request, and the requestor has paid a Tier 1 fee in accordance with subparagraph (A)(i), the Secretary shall refund the requestor the difference between the Tier 1 and Tier 2 fees determined under subparagraphs (A)(i) and (A)(ii), respectively.

''(E) REFUND OF FEE IF ORDER REQUEST REFUSED FOR FILING OR WITHDRAWN BEFORE FILING.—The Secretary shall refund 75 percent of the fee paid under subparagraph (B) for any order request which is refused for filing or was withdrawn before being accepted or refused for filing.

''(F) FEES FOR ORDER REQUESTS PREVIOUSLY REFUSED FOR FILING OR WITHDRAWN BEFORE FILING.—An OTC monograph order request that was submitted but was refused for filing, or was withdrawn before being accepted or refused for filing, shall be subject to the full fee under subparagraph (A) upon being resubmitted or filed over protest.

''(G) REFUND OF FEE IF ORDER REQUEST WITHDRAWN.—If an order request is withdrawn after the order request was filed, the Secretary may refund the fee or a portion of the fee if no substantial work was performed on the order request after the application was filed. The Secretary shall have the sole discretion to refund a fee or a portion of the fee under this subparagraph. A determination by the Secretary concerning a refund under this subparagraph shall not be reviewable.

''(3) REFUNDS.—

''(A) IN GENERAL.—Other than refunds provided pursuant to any of subparagraphs (D) through (G) of paragraph (2), the Secretary shall not refund any fee paid under paragraph (1) except as provided in subparagraph (B).

''(B) DISPUTES CONCERNING FEES.—To qualify for the return of a fee claimed to have been paid in error under paragraph (1) or (2), a person shall submit to the Secretary a written request justifying such return within 180 calendar days after such fee was paid.

''(4) NOTICE.—Within the timeframe specified in subsection (c), the Secretary shall publish in the Federal Register the amount of the fees under paragraph (1) for such fiscal year.

''(b) FEE REVENUE AMOUNTS.—

''(1) FISCAL YEAR 2019.—For fiscal year 2019, fees under subsection (a)(1) shall be established to generate a total facility fee revenue amount equal to the sum of—

''(A) the annual base revenue for fiscal year 2019 (as determined under paragraph (3));

''(B) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(2)); and

''(C) additional direct cost adjustments (as determined under subsection (c)(3)).

''(2) SUBSEQUENT FISCAL YEARS.—For each of the fiscal years 2020 through 2023, fees under subsection (a)(1) shall be established to generate a total facility fee revenue amount equal to the sum of—

''(A) the annual base revenue for the fiscal year (as determined under paragraph (3));

''(B) the dollar amount equal to the inflation adjustment for the fiscal year (as determined under subsection (c)(1));

''(C) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(2));

''(D) additional direct cost adjustments (as determined under subsection (c)(3)); and

''(E) additional dollar amounts for each fiscal year as follows:

''(i) $7,000,000 for fiscal year 2020.

''(ii) $6,000,000 for fiscal year 2021.

''(iii) $7,000,000 for fiscal year 2022.

''(iv) $3,000,000 for fiscal year 2023.

''(3) ANNUAL BASE REVENUE.—For purposes of paragraphs (1)(A) and (2)(A), the dollar amount of the annual base revenue for a fiscal year shall be—

''(A) for fiscal year 2019, $8,000,000; and

''(B) for fiscal years 2020 through 2023, the dollar amount of the total revenue amount established under this subsection for the previous fiscal year, not including any adjustments made under subsection (c)(2) or (c)(3).

''(c) ADJUSTMENTS; ANNUAL FEE SETTING.—

''(1) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—For purposes of subsection (b)(2)(B), the dollar amount of the inflation adjustment to the annual base revenue for fiscal year 2020 and each subsequent fiscal year shall be equal to the product of—

''(i) such annual base revenue for the fiscal year under subsection (b)(2); and

''(ii) the inflation adjustment percentage under subparagraph (C).

''(B) OTC MONOGRAPH ORDER REQUEST FEES.—For purposes of subsection (a)(2), the dollar amount of the inflation adjustment to the fee for OTC monograph order requests for fiscal year 2020 and each subsequent fiscal year shall be equal to the product of—

''(i) the applicable fee under subsection (a)(2) for the preceding fiscal year; and

''(ii) the inflation adjustment percentage under subparagraph (C).

''(C) INFLATION ADJUSTMENT PERCENTAGE.—The inflation adjustment percentage under this subparagraph for a fiscal year is equal to—

''(i) for each of fiscal years 2020 and 2021, the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC–MD–VA–WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 years of available data; and

''(ii) for each of fiscal years 2022 and 2023, the sum of—

''(I) the average annual percent change in the cost, per full-time equivalent position of the Food and Drug Administration, of all personnel compensation and benefits paid with respect to such positions for the first 3 years of the preceding 4 fiscal years, multiplied by the proportion of personnel compensation and benefits costs to total costs of OTC monograph drug activities for the first 3 years of the preceding 4 fiscal years; and

''(II) the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC–MD–VA–WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 years of available data multiplied by the proportion of all costs other than personnel compensation and benefits costs to total costs of OTC monograph drug activities for the first 3 years of the preceding 4 fiscal years.

''(2) OPERATING RESERVE ADJUSTMENT.—

''(A) IN GENERAL.—For fiscal year 2019 and subsequent fiscal years, for purposes of subsections (b)(1)(B) and (b)(2)(C), the Secretary may, in addition to adjustments under paragraph (1), further increase the fee revenue and fees if such an adjustment is necessary to provide operating reserves of carryover user fees for OTC monograph drug activities for not more than the number of weeks specified in subparagraph (B).

''(B) NUMBER OF WEEKS.—The number of weeks specified in this subparagraph is—

''(i) 3 weeks for fiscal year 2019;

''(ii) 7 weeks for fiscal year 2020;

''(iii) 10 weeks for fiscal year 2021;

''(iv) 10 weeks for fiscal year 2022; and

''(v) 10 weeks for fiscal year 2023.

''(C) DECREASE.—If the Secretary has carryover balances for such process in excess of 10 weeks of the operating reserves referred to in subparagraph (A), the Secretary shall decrease the fee revenue and fees referred to in such subparagraph to provide for not more than 10 weeks of such operating reserves.

''(D) RATIONALE FOR ADJUSTMENT.—If an adjustment under this paragraph is made, the rationale for the amount of the increase or decrease (as applicable) in fee revenue and fees shall be contained in the annual Federal Register notice under paragraph (4) establishing fee revenue and fees for the fiscal year involved.

''(3) ADDITIONAL DIRECT COST ADJUSTMENT.—The Secretary shall, in addition to adjustments under paragraphs (1) and (2), further increase the fee revenue and fees for purposes of subsection (b)(2)(D) by an amount equal to—

''(A) $14,000,000 for fiscal year 2019;
''(B) $7,000,000 for fiscal year 2020;
''(C) $4,000,000 for fiscal year 2021;
''(D) $3,000,000 for fiscal year 2022; and
''(E) $3,000,000 for fiscal year 2023.
''(4) ANNUAL FEE SETTING.—
''(A) FISCAL YEAR 2019.—The Secretary shall, not later than the second Monday in March of 2019—
''(i) establish OTC monograph drug facility fees for fiscal year 2019 under subsection (a), based on the revenue amount for such year under subsection (b) and the adjustments provided under this subsection; and
''(ii) publish fee revenue, facility fees, and OTC monograph order requests in the Federal Register.
''(B) SUBSEQUENT FISCAL YEARS.—The Secretary shall, not later than the second Monday in March of each fiscal year that begins after September 30, 2019—
''(i) establish for each such fiscal year, based on the revenue amounts under subsection (b) and the adjustments provided under this subsection—
''(I) OTC monograph drug facility fees under subsection (a)(1); and
''(II) OTC monograph order request fees under subsection (a)(2); and
''(ii) publish such fee revenue amounts, facility fees, and OTC monograph order request fees in the Federal Register.
''(d) IDENTIFICATION OF FACILITIES.—Each person that owns an OTC monograph drug facility shall submit to the Secretary the information required under this subsection each year. Such information shall, for each fiscal year—
''(1) be submitted as part of the requirements for drug establishment registration set forth in section 510; and
''(2) include for each such facility, at a minimum, identification of the facility's business operation as that of an OTC monograph drug facility.
''(e) EFFECT OF FAILURE TO PAY FEES.—
''(1) OTC MONOGRAPH DRUG FACILITY FEE.—
''(A) IN GENERAL.—Failure to pay the fee under subsection (a)(1) within 20 calendar days of the due date as specified in subparagraph (D) of such subsection shall result in the following:
''(i) The Secretary shall place the facility on a publicly available arrears list.
''(ii) All OTC monograph drugs manufactured in such a facility or containing an ingredient manufactured in such a facility shall be deemed misbranded under section 502(ff).
''(B) APPLICATION OF PENALTIES.—The penalties under this paragraph shall apply until the fee established by subsection (a)(1) is paid.
''(2) ORDER REQUESTS.—An OTC monograph order request submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for filing by the Secretary until all fees owed by such person under this section have been paid.
''(3) MEETINGS.—A person subject to fees under this section shall be considered ineligible for OTC monograph drug meetings until all such fees owed by such person have been paid.
''(f) CREDITING AND AVAILABILITY OF FEES.—
''(1) IN GENERAL.—Fees authorized under subsection (a) shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts. Such fees are authorized to remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account without fiscal year limitation to such appropriation account for salaries and expenses with such fiscal year limitation. The sums transferred shall be available solely for OTC monograph drug activities.
''(2) COLLECTIONS AND APPROPRIATION ACTS.—
''(A) IN GENERAL.—Subject to subparagraph (C), the fees authorized by this section shall be collected and available in each fiscal year in an amount not to exceed the amount specified in appropriation Acts, or otherwise made available for obligation, for such fiscal year.
''(B) USE OF FEES AND LIMITATION.—The fees authorized by this section shall be available to defray increases in the costs of the resources allocated for OTC monograph drug activities (including increases in such costs for an additional number of full-time equivalent positions in the Department of Health and Human Services to be engaged in such activities), only if the Secretary allocates for such purpose an amount for such fiscal year (excluding amounts from fees collected under this section) no less than $12,000,000, multiplied by the adjustment factor applicable to the fiscal year involved under subsection (c)(1).
''(C) COMPLIANCE.—The Secretary shall be considered to have met the requirements of subparagraph (B) in any fiscal year if the costs funded by appropriations and allocated for OTC monograph drug activities are not more than 15 percent below the level specified in such subparagraph.
''(D) PROVISION FOR EARLY PAYMENTS IN SUBSEQUENT YEARS.—Payment of fees authorized under this section for a fiscal year (after fiscal year 2019), prior to the due date for such fees, may be accepted by the Secretary in accordance with authority provided in advance in a prior year appropriations Act.
''(3) AUTHORIZATION OF APPROPRIATIONS.—For each of the fiscal years 2019 through 2023, there is authorized to be appropriated for fees under this section an amount equal to the total amount of fees assessed for such fiscal year under this section.
''(g) COLLECTION OF UNPAID FEES.—In any case where the Secretary does not receive payment of a fee assessed under subsection (a) within 30 calendar days after it is due, such fee shall be treated as a claim of the United States Government subject to subchapter II of chapter 37 of title 31, United States Code.
''(h) CONSTRUCTION.—This section may not be construed to require that the number of full-time equivalent positions in the Department of Health and Human Services, for officers, employers, and advisory committees not engaged in OTC monograph drug activities, be reduced to offset the number of officers, employees, and advisory committees so engaged.

''SEC. 744N. REAUTHORIZATION; REPORTING REQUIREMENTS.

''(a) PERFORMANCE REPORT.—Beginning with fiscal year 2019, and not later than 120 calendar days after the end of each fiscal year thereafter for which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report concerning the progress of the Food and Drug Administration in achieving the goals identified in the letters described in section 2001(b) of the Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2019 during such fiscal year and the future plans of the Food and Drug Administration for meeting such goals.
''(b) FISCAL REPORT.—Not later than 120 calendar days after the end of fiscal year 2019 and each subsequent fiscal year for which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the implementation of the authority for such fees during such fiscal year and the use, by the Food and Drug Administration, of the fees collected for such fiscal year.
''(c) PUBLIC AVAILABILITY.—The Secretary shall make the reports required under subsections (a) and (b) available to the public on the internet website of the Food and Drug Administration.
''(d) REAUTHORIZATION.—
''(1) CONSULTATION.—In developing recommendations to present to the Congress with respect to the goals described in subsection (a), and plans for meeting the goals, for OTC monograph drug activities for the first 5 fiscal years after fiscal year 2023, and for the reauthorization of this part for such fiscal years, the Secretary shall consult with—
''(A) the Committee on Energy and Commerce of the House of Representatives;
''(B) the Committee on Health, Education, Labor, and Pensions of the Senate;
''(C) scientific and academic experts;
''(D) health care professionals;
''(E) representatives of patient and consumer advocacy groups; and
''(F) the regulated industry.
''(2) PUBLIC REVIEW OF RECOMMENDATIONS.—After negotiations with the regulated industry, the Secretary shall—
''(A) present the recommendations developed under paragraph (1) to the congressional committees specified in such paragraph;
''(B) publish such recommendations in the Federal Register;
''(C) provide for a period of 30 calendar days for the public to provide written comments on such recommendations;
''(D) hold a meeting at which the public may present its views on such recommendations; and
''(E) after consideration of such public views and comments, revise such recommendations as necessary.
''(3) TRANSMITTAL OF RECOMMENDATIONS.—Not later than January 15, 2023, the Secretary shall transmit to the Congress the revised recommendations under paragraph (2), a summary of the views and comments received under such paragraph, and any changes made to the recommendations in response to such views and comments.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentleman from Texas (Mr. BURGESS) each will control 20 minutes.

GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 269.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

□ 1615

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

I rise to voice my support for the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019. This legislation will help strengthen our Nation's emergency preparedness and response efforts. It will also modernize the regulatory

framework for over-the-counter drugs and provide FDA with stable and consistent funding to oversee the over-the-counter market.

This bill would ensure our Nation is prepared and can respond to emerging infectious disease threats, including Zika and Ebola. It will also prepare us so we can better respond to health security events, like bioterrorism and natural disasters such as hurricanes and wildfires.

The importance of this law cannot be overstated, Mr. Speaker. That is why our committee committed to working together in the last Congress on a bipartisan basis to ensure that the important authorities granted to the FDA in this law did not lapse.

I want to especially thank Representatives ESHOO and BROOKS for their work on this legislation and their leadership in promoting the importance of strengthening our Nation's emergency preparedness and response infrastructure.

While the House passed legislation that would have prevented this authorization from expiring, the Senate then refused to act and, instead, allowed these important authorities to expire on September 30.

While we were disappointed that we were unable to reauthorize PAHPA before that occurred, we continued to work with our Senate colleagues on moving this important legislation forward before the end of the 115th Congress. That effort led to the passage of H.R. 7328 on December 20, legislation developed as a result of bipartisan, bicameral negotiations to reach agreement on a PAHPA reauthorization bill that we could all support.

Unfortunately, just like before, the Senate did not act; and, thus, we are on the floor again today, Mr. Speaker, moving legislation to reauthorize the Pandemic All-Hazards Preparedness Act and pass historic legislation to streamline and fund the regulation of over-the-counter drugs. I hope that the third time will be the charm and that our Senate colleagues will act quickly to pass this legislation.

In addition to reauthorizing our public health preparedness and response programs, this legislation also contains a bipartisan and bicameral agreement reforming our over-the-counter drug program.

The Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2018 has also twice previously passed the House with overwhelming bipartisan support. It modernizes the way the FDA reviews over-the-counter products for colds, allergies, and other common health issues.

The bill streamlines the review process for future monograph changes, allows for expedited safety label changes, and establishes a user fee program to provide reasonable or sustainable resources to implement these reforms.

These are all critical changes that I am very proud to support.

While this is not a perfect bill and still contains unnecessary and unwarranted exclusivity for over-the-counter drugs and sunscreens, reform of our over-the-counter drug program is long overdue. This reform will pave the way for innovation in the over-the-counter market, allow the agency to respond to safety events, and finally provide the agency with the resources needed to properly oversee this growing market.

This legislation has the broad support of industry, public health groups, and the FDA, and it deserves the support of both the House and the Senate.

I want to thank the bill's authors, Representatives ESHOO, BROOKS, DEGETTE, LATTA, DINGELL, GUTHRIE, and BURGESS, for their hard work on this legislation.

It is my hope that the Senate will now take swift action and move this legislation to the President's desk. I urge my colleagues to vote in support of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself such time as I may consume.

We often hear it said that life is a multiple of threes, and here we are, the third time, passing this important legislation.

One hundred years ago, this country was in the midst of the worst pandemic in its history, claiming the lives of almost 700,000 Americans and killing more than 50 million people worldwide.

As we discuss the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, it is paramount that we remember the significance of the centennial anniversary of the 1918 influenza pandemic.

I must also note, again, the third time the House has passed this legislation. We have clearly done our work, and it is time for the other body to do their work and send this bill to the President's desk.

The creation of the Assistant Secretary for Preparedness and Response under the original legislation in 2006 has helped us to make monumental strides in preparedness, coordination, and response.

Close collaboration and efforts between the Centers for Disease Control and Prevention, the Food and Drug Administration, and our State, local, Tribal, and territorial public health partners have been vital in making this progress.

Like politics, much of public health is local and executed on the ground by our hospitals, by our health departments and our emergency responders, who are our front lines in addressing infectious diseases, disasters, and threats.

We hear each and every year of the dangers of the influenza as flu season wreaks havoc on communities across the country. Last year, in north Texas, some schools had to close in order to contain the spread of the flu. This bill includes an important provision dedicated to preparing for pandemic influenza to protect our Nation against the terror of a pandemic.

Mr. Speaker, I would just parenthetically add that if anyone has not yet had their influenza immunization this year, it is still a good idea to avail yourself of that protective measure. The flu vaccine not only can prevent the flu, but if someone gets the flu after having had the flu vaccine, their clinical course is likely to be more benign.

This reauthorization includes an important provision, the MISSION ZERO Act. The MISSION ZERO Act seeks to connect American patients with battle-tested trauma care through the craft of military trauma care providers.

The bill provides grants to integrate military trauma care providers and teams into the Nation's leading trauma centers and systems. This will also ensure that our military can maintain battlefield-ready trauma care providers in between periods of active engagement. The need for top-notch trauma care extends across our Nation, far removed from the battlefield.

We must also remember that infectious diseases are a much more serious threat in the global community, and we must continue to ensure that we are prepared and ready to respond. Frontline facilities and responders in Dallas, Texas, experienced this firsthand in 2014 when a patient presented with Ebola in a DFW emergency department.

Today, currently, right now, there is an Ebola outbreak in the Democratic Republic of the Congo that has been deemed the second worst on record, with more than 600 cases. This legislation equips our Nation with the tools to respond in a timely and effective manner when the public health and safety are at risk, such as if Ebola were to hit the United States again.

Additionally, this bill will also help to bring domestic biologic surveillance systems up to date so that they are operating with the most efficient capabilities and technologies.

We must also look for innovative ways to continue to advance medical countermeasures, ensuring that Americans can access medications that will provide critical protection in the future.

Another portion of this legislation would modernize the regulation of over-the-counter medicines. To date, consumers have access to more than 300,000 nonprescription items, from cough to cold medicines to antiperspirants, antacids, and sunscreens. Pharmacy aisles and medicine cabinets are filled with over-the-counter products, and American consumers rely on these each and every day.

This bill would make the over-the-counter regulatory framework more science-based and responsive to public health concerns, and it would encourage the development of more innovative products and provide resources to the Food and Drug Administration to bolster the agency's ability to review over-the-counter applications and to regulate this sector in a consistent manner.

This Pandemic and All-Hazards Preparedness reauthorization is critical to protecting the lives of all Americans and providing the necessary tools and infrastructure are in place when disaster strikes.

I want to thank Representatives SUSAN BROOKS and ANNA ESHOO for their work and Representatives BOB LATTA and DIANA DEGETTE for their work on the over-the-counter monograph reform.

I strongly support this legislation, urge Members to do the same, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, I thank the chairman for yielding me the time.

I rise in strong support of H.R. 269. This important bill reauthorizes the Pandemic and All-Hazards Preparedness Act and provides FDA with needed revenue and authority to improve oversight of over-the-counter drugs.

The House of Representatives overwhelmingly passed this bipartisan legislation at the end of the 115th Congress, and I am pleased that we are acting on this bill once again at the beginning of the 116th Congress. I am proud to have helped introduce this legislation, and I urge my Senate colleagues to quickly pass this bill into law.

My chairman, Mr. PALLONE and Representative BURGESS have talked and spoken well of why we must address the Pandemic and All-Hazards Preparedness Act. Headlines in the Detroit paper today talking about a death in an area hospital because of a power outage is why we must prepare these institutions to be ready for crises, but I want to speak about the over-the-counter part of this bill.

Today, 60 percent of all medicines sold in the United States are over the counter. Americans trust that they are safe, yet the FDA has only 18 full-time employees—only 18—to oversee the entire market of drugs sold across this country.

This outdated system has the potential to put patients at risk and does not match the realities of our modern healthcare system.

The bill we are discussing today reforms this system for the better. It creates a new user fee program to give FDA the resources it needs to improve public health. It also improves the efficiency by allowing the agency to update OTC monographs through administrative order rather than the rulemaking process.

These changes are a big win for patients, who will benefit from improved product safety, and for industry, as they will have a reliable pathway to bring new, innovative products to market. It has been years since a new sunscreen product has been brought to market simply because of this outdated system.

I want to thank my colleagues on the Energy and Commerce Committee for all the time and effort they put into this legislation; to Representatives ESHOO and BROOKS, who worked so hard on the Pandemic and All-Hazards Preparedness Act; and to my colleague, Representative DEGETTE, and my Republican colleagues, Representatives LATTA, GUTHRIE, and BURGESS, for all the work that they did.

We need to get this important bill passed and into law. I urge my colleagues to support H.R. 269.

Mr. BURGESS. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I rise today in support of H.R. 269, the PAHPA OTC legislation, which includes a bill I authored last Congress, the Over-the-Counter Monograph Safety, Innovation, and Reform Act.

More than 240 million Americans use over-the-counter medications for relief of common ailments, such as headaches, colds, and seasonal allergies. We trust and depend on these affordable remedies to get us well and stay well.

Despite the success and high utilization of these medicines, the Food and Drug Administration's regulatory structure for oversight of OTC products, referred to as the monograph system, is outdated and incomplete. The system was created more than 45 years ago, yet movement on unfinished items has ground to a halt due to cumbersome notice and comment rulemaking processes.

Without process modernization, it is nearly impossible for manufacturers to address safety concerns and offers little incentive to develop new products. This bill would provide meaningful and long overdue reform to the FDA's monograph system. The reform will create a more flexible framework that accounts for advances in science, allows timely updates to safety label changes, and creates a workable process for completing unfinished monographs.

This bill would also create a pathway to market for new and innovative products, which would help to reduce strain on our healthcare system by giving consumers more options to treat common ailments at home. Furthermore, this legislation will improve regulatory certainty for manufacturers. Over time, we would see increase investment in research and development, leading to new OTC medicines on our shelves, and providing greater self-care options to consumers.

Again, I thank my colleagues—Ms. DEGETTE, Mr. GUTHRIE, Mrs. DINGELL, Dr. BURGESS, and former Member Mr. Gene Green from Texas—the FDA, and stakeholders for working so closely with me over the last 3 years to ensure that this modernization effort appropriately addresses and resolves this complex issue.

□ 1630

I believe modernization of the broken monograph system will strengthen consumer protections, spur innovation, and expand consumer choice. It is long overdue to fix this regulatory framework that oversees 60 percent of the medicines sold in the United States.

Mr. Speaker, I strongly urge my colleagues to support passage of our bipartisan bill, H.R. 269, PAHPA OTC.

Mr. PALLONE. Mr. Speaker, I have no additional speakers, and I reserve the balance my time.

Mr. BURGESS. Mr. Speaker, I yield 4 minutes to the gentlewoman from Indiana (Mrs. BROOKS), the principal author of the bill.

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today in support of H.R. 269, the Pandemic and All-Hazards Preparedness and Advancing Innovation Act, or PAHPA.

I am proud to have introduced this important bill with my very good friend, Representative ANNA ESHOO, who is one of the original authors of the 2006 PAHPA bill and the lead author of the last reauthorization in 2013.

Mr. Speaker, I want to thank Energy and Commerce Committee Chair Representative PALLONE and Ranking Member Representative WALDEN, as well as Representative BURGESS for his work on the Health Subcommittee, and the committee staff for working to get this bill back on the House floor so quickly as we begin the 116th Congress.

PAHPA is a bipartisan public health national security effort which works to ensure our Nation is better prepared to respond, whether it is to natural disasters like hurricanes, emerging infectious diseases like Zika or Ebola, or chemical, biological, radiological, or nuclear attacks, whether they might come from a terrorist group or from a nation-state.

The reality is that these threats we face are not just hypothetical. The ongoing Ebola outbreak is now, as you have already heard, the second largest outbreak in history. Since August of 2018, 374 people in the Democratic Republic of the Congo have died from Ebola, bringing the total to 623 cases. Nine new cases have been confirmed in just the last week alone.

Thanks to PAHPA and the 21st Century Cures Act, we are more prepared for biological threats and attacks. Last year, the FDA approved the first drug to treat smallpox and also an auto injector which provides a one-time dose of an antidote to block effects of a nerve agent.

But PAHPA is much more than what we think of as just a biodefense bill. It helps ensure a coordinated healthcare response, whether it is to hurricanes and other natural disasters, by prioritizing our Nation's most vulnerable populations: children, senior citizens, and people with disabilities.

PAHPA provides liability protection for physicians who volunteer after medical disasters. It ensures more healthcare professionals, nurses and doctors and others, can be hired and trained when facing a public health crisis. It ensures we have a robust supply of vaccines and equipment like gloves,

hazmat suits, and masks in our Strategic National Stockpiles so our medical professionals and our first responders have what they need.

The bill ensures our preparedness and response capabilities will include a robust pipeline of medical countermeasures by increasing funding for the BioShield Special Reserve Fund and BARDA, whose work over the last decade has resulted in FDA approvals for more than 42 different medical countermeasures.

While the investments BARDA is making into innovative research and treatments are critical, we have to address the threats that have been around for years.

As Mr. BURGESS talked about, the 1918 influenza outbreak killed 675,000 Americans and millions worldwide. Many experts predict that we are due for another global pandemic influenza. The bill today authorizes $250 million to address threats like pan flu.

This bill is the result of months of committee work in both the House and the Senate. I can't emphasize enough how critically important it is that we reauthorize PAHPA.

Mr. Speaker, I encourage the Senate to quickly pass H.R. 269. I urge all Members to support this critical piece of public health and national security legislation.

Mr. PALLONE. Mr. Speaker, I have no additional speakers and am prepared to close. I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. GUTHRIE).

Mr. GUTHRIE. Mr. Speaker, I rise today in support of the Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019, which includes legislation to update the over-the-counter monograph system.

Our healthcare system is innovating rapidly, and the Food and Drug Administration can't keep up. The FDA's approval system for over-the-counter medications has not been updated since the 1970s. By updating the monograph approval system, we make it easier for over-the-counter medicines to reach the market, providing an affordable way for Americans to access healthcare treatment.

I was proud to work on over-the-counter monograph reform last Congress with a number of my colleagues on the Energy and Commerce Committee, with the efforts being led by Congressman BOB LATTA, and it was bipartisan.

Mr. Speaker, I urge my colleagues to support this bill on the floor today.

Mr. BURGESS. Mr. Speaker, I urge all Members to support the bill before us today, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, again, I would ask support for this bipartisan bill. It is very important legislation, and I hope that we can send it to the Senate and have the President quickly sign it.

Mr. Speaker, I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise in support of this bipartisan legislation, the Pandemic and All-Hazards Preparedness and Advancing Innovation Act. I've worked on this legislation with my partner Representative SUSAN BROOKS for almost a year and it reflects months of negotiations and compromise reached by the House and Senate. This bill also includes important updates to the Over-the-Counter Monograph program at the Food and Drug Administration. I am proud to reintroduce this bill in the 116th Congress and pleased the House is taking it up so quickly.

The Pandemic and All-Hazards Preparedness and Advancing Innovation Act we're considering today is critical to our national security. The legislation updates the original Pandemic and All-Hazards Preparedness Act I authored with then-Representativelichard Burr in 2006, by directing federal agencies to respond to new and emerging threats, and strengthen our nation's existing preparedness and response programs. This legislation reauthorizes critical programs that ensure our nation is prepared to respond to naturally occurring and manmade disasters. These threats are real and our country must be prepared to adequately respond to them. This reauthorization meets the challenges that we face today and those we anticipate facing in the future. The policies in this bill are almost identical to those passed under suspension by the House in September 2018 with small changes made at the request of the Senate. The House passed an identical bill at the end of the 115th Congress by a vote of 367 to 9.

This bill also includes overdue updates to the Over-the-Counter Monograph program which will streamline the process by which over-the-counter products are regulated and approved by FDA and will improve patient safety. It establishes a new user fee program that will enable FDA to act faster to address safety issues associated with over-the-counter drugs and bring innovative over-the-counter drugs to market.

It's imperative that after the House passes this legislation today that the Senate take it up quickly and send it to the President's desk as soon as possible. PAHPA expired on September 30th and reauthorizing these programs is critical to our national security.

I'm proud of this legislation and I urge my colleagues to support the Pandemic and All-Hazards Preparedness and Advancing Innovation Act.

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H.R. 269, the ''Pandemic and All-Hazards Preparedness and Advancing Innovation Act of 2019.''

H.R. 269 reauthorizes and strengthens emergency preparedness and response programs and efforts Health and Human Services (HHS) and modernizes the regulatory framework at the Federal Drug Administration (FDA) for over-the-counter (OTC) drugs and provide the FDA with stable funding to do so through a new user fee program.

H.R. 269 strengthens HHS's emergency preparedness and response by improving benchmarks and standards, addressing military and civilian partnerships for trauma readiness, and clarifying state liability law for volunteer health care professionals.

Additionally, H.R. 269 calls for reporting on the national blood supply and public health preparedness and response capabilities and capacities of hospitals, long-term care facilities, and other health care facilities.

H.R. 269 also allows for the regulation of certain nonprescription drugs that are marketed without an approved drug application, addresses the misbranding of OTC drugs, and calls for an annual update to Congress on the conditions under which certain OTC cough and cold drugs are generally recognized as safe and effective for children.

H.R. 269 grants authority to assess and use OTC monograph fees as a source of stable funding to the FDA for its use to modernize the regulatory framework.

This legislation will benefit all communities by strengthening and assessing the emergency response workforce, improving the preparedness and response of health system infrastructure, taking into consideration at-risk individuals and children, providing guidance for participation in exercises and drills, and create national advisory committees on disasters.

In 2014, Dallas, Texas was faced with an Ebola virus outbreak, one of the world's most deadly viruses.

Howard Duncan was visiting family in Dallas when he became the first person diagnosed with Ebola in the United States.

In addition to Duncan, two nurses who provided care to him also became infected.

Zika made its first appearance in Texas in 2015.

In 2016 Texas had 315 cases of Zika, and in 2017, 55 cases were confirmed.

2017 brought a high severity flu season along with Hurricane Harvey.

80,000 people died of the flu during the 2017 through 2018 season and over 30,000 people, or 9 percent of the population, were hospitalized.

The severity of the 2017–2018 flu season was in part due to the flu vaccine, unfortunately, only being effective against only 30 percent of the viruses circulating.

Also in 2017, the 18th District of Texas and the Gulf Coast saw the devastation of Hurricane Harvey.

The economic cost of Hurricane Harvey was $125 billion, tying it with Hurricane Katrina as the most costly storm in U.S. history.

More importantly, 107 people lost their lives due to Hurricane Harvey.

Then there is the ongoing shortage of medical supplies, specifically saline solution.

Since 2014 there has been an ongoing shortage of saline, and when Hurricane Maria hit Puerto Rico in 2017, the country's largest supplier was damaged causing an even larger shortage.

The saline shortage coupled with a severe flu season in 2017–2018 has some worried that the demand will quickly outpace the supply.

H.R. 269 will help address these and other local, state, and national emergencies.

Not only does H.R. 269 address HHS emergency preparedness, but it also allows the FDA to better do its job to keep Americans safe.

In 2018, the FDA issued at least 1,412 warning letters regarding the misbranding of products under its jurisdiction.

An alarming number of these letters regard OTC drugs and supplements.

H.R. 269 provides the FDA a stable funding source so that it may continue its regulation of

certain nonprescription drugs that are marketed without an approved drug application and address the misbranding of OTC drugs.

For these reasons, I ask my colleagues to join me in supporting H.R. 269.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 269.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PALLONE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM EXTENSION ACT

Mr. THOMPSON of Mississippi. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 251) to extend by two years the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 251

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Chemical Facility Anti-Terrorism Standards Program Extension Act''.

SEC. 2. EXTENSION OF CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM OF THE DEPARTMENT OF HOMELAND SECURITY.

Section 5 of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (Public Law 113–254; 6 U.S.C. 621 note) is amended by striking ''4 years'' and inserting ''6 years''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. THOMPSON) and the gentleman from Alabama (Mr. ROGERS) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. THOMPSON of Mississippi. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 251, the Chemical Facility Anti-Terrorism Standards Program Extension Act.

H.R. 251 would extend the Department of Homeland Security's authority to carry out the Chemical Facility Anti-Terrorism Standards, or CFATS, program for 2 years. Under this novel regulatory program, DHS works with the owners and operators of our Nation's highest risk chemical facilities to ensure those facilities have adequate security measures in place.

Unless Congress acts expeditiously, authority to regulate these high-risk facilities will expire in a matter of days. We cannot let this happen.

The risk of a terrorist attack on a chemical facility is not conjecture; it is a credible threat echoed by every Homeland Security Secretary since 2005. Federal and State law enforcement officers have uncovered multiple plots aimed at chemical facilities, including after the 9/11 attacks when it came to light that the hijackers had also scouted chemical plants.

National security experts, from former Homeland Security Secretary Michael Chertoff to President Obama, have expressed concern that a terrorist could seek to penetrate a chemical facility to carry out a weapon of mass destruction attack. CFATS is the way DHS partners with chemical facilities to combat this threat. The program enjoys support across party lines and within the regulated community.

I led the initial bipartisan effort to establish the program in 2006. CFATS had a bumpy start, but over time, with the stability of a long-term authorization, in 2014, CFATS has developed into a security program that is making the U.S. demonstrably safer.

Don't take my word for it; the data speaks for itself. Since CFATS was created, the number of chemical facilities designated as high risk in the U.S. has dropped by half. This achievement means that communities near the chemical plants are safer.

Still, like with any other program, there are areas where it could be strengthened. The 2-year extension sought under this act is needed to give the House and Senate ample time to come together to address oversight findings to improve the program.

It is unfortunate that in the waning days of the previous Congress, bipartisan House efforts to provide the regulated community with confidence that the CFATS security regime would continue were rebuffed by a couple of Senators who took the public position that the program should be completely ended unless it was changed in the way they liked. In fact, they said as much in a letter to House and Senate leadership on October 23, 2018:

''If Congress fails to reform the CFATS program, we believe the program should expire and not continue to be reauthorized via annual appropriations.''

The approach they took was eerily similar to the one the President is now taking as he sets a partial government shutdown in motion to try and compel Congress to agree to providing nearly $6 billion in funding for a border wall.

Mr. Speaker, the Secretary of Homeland Security wrote to Congress in November urging for a short-term reauthorization.

Mr. Speaker, I include in the RECORD both the letter from my Senate colleagues and the letter from the Secretary.

U.S. SENATE,
Washington, DC, October 23, 2018.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.
Hon. BENNIE THOMPSON,
Ranking Member, Committee on Homeland Security, House of Representatives, Washington, DC.
Hon. GREG WALDEN,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.
Hon. FRANK PALLONE,
Ranking Member, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR CHAIRMAN MCCAUL, CHAIRMAN WALDEN, RANKING MEMBER THOMPSON, AND RANKING MEMBER PALLONE: We write regarding S. 3405, the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2018. This bill will reauthorize the Chemical Facility Anti-Terrorism Standards (CFATS) program at the Department of Homeland Security (DHS) with commonsense reforms to secure chemical facilities while reducing the regulatory burden on the private sector.

During the 113th Congress, the Senate Committee on Homeland Security and Governmental Affairs, House Committee on Homeland Security, and House Committee on Energy and Commerce worked together to reauthorize and reform the CFATS program, although the reauthorization is set to expire in January 2019. At that time, the CFATS program faced significant challenges, including long backlogs to review security plans, a flawed tiering methodology, program management issues, and questions about whether the program was effectively reducing risk and enhancing security.

The CFATS program currently regulates over 3,000 chemical facilities nationwide. Although DHS has improved its management of the CFATS program over the past four years, such as eliminating the estimated nine-year backlog of reviewing facilities' unique site security plans, it is evident that the program needs additional reforms. On June 12, 2018, the Senate Committee on Homeland Security and Governmental Affairs held a roundtable that included DHS, the U.S. Government Accountability Office, a CFATS chemical inspector, and a variety of companies and industry groups.

During the roundtable, stakeholders provided feedback on how to further improve the CFATS program. For example, industry stakeholders expressed concerns about duplicative regulatory regimes between DHS and the Bureau of Alcohol, Tobacco, Firearms, and Explosives; advised that DHS should not make terror screening mandatory for Tier 3 and Tier 4 facilities; complained about inadequate communication from DHS about changes in facilities' tiering; and discussed how a CFATS recognition program can provide greater regulatory relief. We also heard from a CFATS chemical inspector on basic and continuous training issues and need for improvement, particularly with respect to cybersecurity. In addition, the Committee's oversight has shown a need for DHS to report on new metrics that will show if the program is effectively measuring risk reduction and addressing the current threat environment.

Incorporating this feedback from CFATS stakeholders, Chairman Johnson introduced S. 3405 on September 4, 2018. Senator Capito is a cosponsor. S. 3405 reauthorizes the CFATS program for five years and brings

much-needed regulatory relief to the U.S. chemical industry while effectively balancing safety and security. On September 26, 2018, the Senate Committee on Homeland Security and Governmental Affairs unanimously reported S. 3405 favorably by voice vote. On September 28, 2018, Rep. Katko, Rep. Moolenaar, and Rep. Cuellar introduced H.R. 6992, a bipartisan House companion.

In the coming weeks, we hope the committees of jurisdiction will continue to work together, as they have throughout this Congress, to find areas of agreement to reauthorize and improve the CFATS program. The purpose of the reauthorization process must be to improve federal regulatory programs incorporating lessons learned from Congressional oversight. S. 3405 provides a path for the CFATS program to continue for an additional five years without inflicting burdensome and duplicative regulations on DHS's industry partners. If Congress fails to reform the CFATS program, we believe the program should expire and not continue to be reauthorized via annual appropriations.

We look forward to working with you to reauthorize the CFATS program with commonsense reforms before the conclusion of the 115th Congress. Thank you for your attention to this important subject.

Sincerely,

RON JOHNSON,
Chairman, Committee on Homeland Security and Governmental Affairs.

SHELLEY MOORE CAPITO,
Chairman, Subcommittee on Homeland Security Committee on Appropriations.

DEPARTMENT OF HOMELAND SECURITY,
Washington, DC, November 29, 2018.

Hon. BENNIE THOMPSON,
Ranking Member, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR RANKING MEMBER THOMPSON: I write to you today in support of the reauthorization of the Chemical Facility Anti-Terrorism Standards (CFATS). The Department of Homeland Security's (DHS) CFATS authorities will expire in sixty days, which would prevent us from setting security standards and implementing measures that would reduce the risk of hazardous chemicals from falling into the wrong hands.

We continue to face one of the most serious terrorist threat environments since 9/11. Foreign terrorist organizations are urging recruits to use simple weapons, including toxic chemicals, to target public spaces and events. Terrorists have already used rudimentary chemical weapons on the battlefield and we face the increased risk that they could use these weapons outside of conflict zones. In response, DHS has stepped up its security posture, including the establishment of the Office of Countering Weapons of Mass Destruction. But we must also ensure that dangerous agents are secured at the source to prevent our enemies from exploiting them.

The Department's CFATS program is a successful public-private partnership focused on preventing the misuse of dangerous chemicals. Since its inception in 2006, it has played a key role in bringing our nation's chemical security standards to a higher level, and it has made it harder for nefarious actors to acquire deadly agents and to exploit potential security vulnerabilities for attacks. Our national security depends on the authorities provided by CFATS, from securing cyber control systems to vetting facility personnel for terrorist ties. We cannot let our guard down. The stakes are too high.

The Department has reviewed the language included in S. 3405, Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2018, and understands the intent is to improve this important regulatory program. The Department agrees that critical review of the program's structure is important. However, we believe that if the program were to lapse—as a result of the current sun-setting provision—it would increase the risk to our country and create uncertainty across the chemical industry.

To that end, I am requesting that Congress consider a short-term reauthorization of the program in its current form. If reauthorized, I will direct the Cybersecurity and Infrastructure Security Agency to conduct a comprehensive audit to assess additional opportunities to enhance program effectiveness and efficiency. This time will afford us the opportunity to take into account past performance and to evaluate Congressional recommendations, industry impact, and potential changes that can strengthen the program. This audit would be conducted in full collaboration with the appropriate Congressional committees.

In the four years since the initial multi-year authorization in 2014, DHS has and continues to innovate and streamline the CFATS program, while the chemical industry, assured of the stability provided by a longer-term authorization, has made long-term investments in security measures. This is a win for both government and industry. This progress would be disrupted in the absence of compliance requirements and is yet another reason why CFATS reauthorization is needed.

Through your leadership, the American people and our homeland are more secure and resilient than ever before. Please consider a short-term reauthorization of CFATS so we can continue to be vigilant against those who wish us harm. Should you have any questions, please have your staff contact the DHS Office of Legislative Affairs.

The Office of Management and Budget advises that there is no objection to the submission of this letter from the standpoint of the Administration's program.

Best Regards,

KIRSTJEN M. NIELSEN,
Secretary.

Mr. THOMPSON of Mississippi. Mr. Speaker, as Secretary Nielsen notes in her letter, '' . . . if the program were to lapse—as a result of the current sunsetting provision—it would increase the risk to our country and create uncertainty across the chemical industry.''

The Secretary and I may not agree on everything, but we agree on this: We cannot let this critical national security program fall victim to this political game of chicken.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today along with my colleague, Chairman THOMPSON, in strong support of H.R. 251, the Chemical Facility Anti-Terrorism Standards Program Extension Act. This bill reauthorizes the Chemical Facility Anti-Terrorism Standards program, more commonly known as CFATS, for 2 more years.

CFATS began as a program aimed at keeping dangerous chemicals out of the hands of terrorists. In recent years, it has grown, in large part, due to partnerships between the Department of Homeland Security and industry stakeholders working to identify high-risk facilities and ensuring appropriate security measures are in place to mitigate these risks.

The current CFATS authorization expires January 18, and swift action is needed to make sure there is no lapse in this program.

I believe this program has achieved its purpose in making Americans safer by helping chemical facilities secure dangerous substances. Mr. Speaker, I support this reauthorization and urge my colleagues in the Senate to also act with the urgency required to prevent this program from expiring.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. RICHMOND).

Mr. RICHMOND. Mr. Speaker, I want to thank the chairman for his leadership on this issue before and now.

Mr. Speaker, I rise today in support of H.R. 251 to extend the DHS Chemical Facilities Anti-Terrorism Standards, CFATS, program for a period of 2 years.

Like many of my colleagues in the House, my district is home to a number of chemical facilities. They play a crucial role in the local economy, but with that comes a risk. The CFATS program helps address that risk and makes communities like mine safer, without being overly burdensome.

Twelve years ago, the Bush administration issued a call to action to address credible terrorist threats to high-risk chemical facilities across the country. At the time, chemical facility security was one of the biggest security gaps we faced, and Secretary Chertoff asked Congress to ''pass a balanced, risk-based security measure for the chemical industry.''

□ 1645

Within the year, Congress attached language to the DHS appropriations bill, giving DHS temporary authority to implement a chemical security program. CFATS survived on annual authorizations through the appropriations process for 8 years, and the lack of certainty and stability stunted the program's growth.

In 2014, after the tragic explosion at the West, Texas, chemical facility, Congress finally passed a 4-year authorization bill. Since then, the CFATS program has invested in better tools, better trained personnel, and a better strategic vision for the future. In short, the CFATS program has matured.

Today, the program has the buy-in of industry and bipartisan support on the Hill. And although I think we can do more to advance the objectives of the program, it is clear that CFATS has made us safer.

Authorization for CFATS expires in a matter of days. If Congress does not act, we will lose a valuable antiterrorism program, and we will forfeit the hard-earned progress that has been achieved.

This bill would allow DHS to continue its work to secure chemical facilities, and it would give Congress an opportunity to hear from stakeholders and the department about the improvements we should make.

In the last Congress, Chairman THOMPSON and I made repeated requests to prioritize CFATS through hearings and markups. Unfortunately, at this point, with the program staring down expiration, it is simply too late for that.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Louisiana.

Mr. RICHMOND. Passing H.R. 251 would allow us to continue the conversation around this important national security program without leaving chemical facilities more vulnerable to attacks.

Mr. Speaker, I urge my colleagues in the House to support H.R. 251, and I hope the Senate will follow suit.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. SHIMKUS), my friend and colleague, and a member of the Energy and Commerce Committee.

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I thank the ranking member for yielding to me. I also congratulate him for his position, which his peers have appointed him to. And I congratulate Chairman THOMPSON for being chosen to hold such a very important chairmanship.

Mr. Speaker, let me talk about my strong support of H.R. 251. I urge all of my colleagues to support this.

Last week, every Member of Congress swore an oath to defend the United States. That, Mr. Speaker, is what we are here on the floor to do with this bill.

In 10 days, as you have heard, the CFATS—Chemical Facility Anti-Terrorism Standards—program will sunset. This means that everything about it, right down to its fundamental structure, legally disappears, including Federal outreach and networking to prevent terrorism against chemical facilities.

I know that there are those who question the value of the current Chemical Facility Anti-terrorism Standards program. But they should know that today's CFATS program is vastly improved from where it was a mere 4 years ago.

How do I know this? How can I be so sure?

Prior to this Congress, I served since 2011 as the chairman of the Energy and Commerce Subcommittee on Environment with my colleague, Mr. TONKO, who I am sure, will be speaking on this bill. There, we had six hearings on the CFATS program and its operations, the most recent one 6 months ago. In fact, in the last Congress, my committee was the only one in either body to have a hearing dedicated to CFATS where DHS testified, for 3 hours on the record, about this program.

I have also worked with the Government Accountability Office throughout that time on the program, and GAO, likewise, has testified multiple times before the subcommittee I chaired. GAO's first testimony exposed and detailed the breadth of the problems in the program, and more recently described ''a number of programmatic changes'' that not only addressed their recommendations, but paved the way for remedying remaining challenges the program faces.

No Federal program is without some area in need of improvement, but if there was a time to justify winding the program down or making serious changes to how it operated, that time was 4 years ago when the program was in disarray. It defies logic to foist major changes on CFATS now, when it appears to have figured out its weaknesses and rectified its deficits.

To those who are skeptical of the program, this extension gives time for not only more assessment to answer lingering questions, but also for CFATS to demonstrate to Congress that its progress is not fleeing and to identify those security-related, terrorism prevention reforms that truly can only be fixed by statute.

The Chemical Facility Anti-Terrorism Standards Act is an important, antiterrorism-focused program. It is not perfect, but it is a unique program based on collaboration, focused on and serving as a very important bulwark against the threat of terrorism here in the United States.

To this end, Congress has spent almost $900 million under CFATS for Federal education, intelligence, technical assistance, and compliance efforts. Moreover, American businesses have invested billions of dollars, expecting a strong return for themselves and their shareholders. We ought not strand these investments and send shareholders and terrorists a signal that American assets will be more vulnerable tomorrow than they are today.

Mr. Speaker, I urge all Members to vote for passage of H.R. 251, and I urge the other body to quickly pass it as well.

Mr. THOMPSON of Mississippi. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Mississippi has 13 minutes remaining.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I thank the chairman of the Homeland Security Committee for yielding.

Mr. Speaker, I urge my colleagues to support this bipartisan bill to extend the authority for the Department of Homeland Security's Chemical Facility Anti-Terrorism Standards, or CFATS, program for 2 years. The CFATS program provides critical national security protections. We should all be alarmed that it is on the verge of lapsing.

Unless this bill becomes law, or the President reconsiders his shutdown of many parts of the Federal Government, the CFATS program will expire in 10 days. The program is not perfect, but it should be continued. The 2-year extension will give the committees of jurisdiction time to consider important improvements to the program without fear that the program will lapse.

Since before the terrorist attacks of September 11, 2001, experts have been concerned about the vulnerability of chemical plants to terrorist attacks. These facilities hold large stores of industrial chemicals that pose a safety and security risk to the American people if they are released or detonated.

A recent report found that more than 134 million Americans live in the vulnerability zones around chemical facilities. The communities most at risk are disproportionately low-income communities and communities of color.

I have been an advocate for increased safety and security at our Nation's chemical facilities for many years, well before the CFATS program was established in 2006. My home State of New Jersey, which has a high population density, has a large number of chemical facilities, so the consequences of insufficient security are as real to us as they are dire.

Unfortunately, the threats to these facilities are only increasing as climate change makes extreme weather more and more common. CFATS-regulated facilities have been impacted by hurricanes, floods, and wildfires, putting us all at risk.

The highest profile case occurred in the aftermath of Hurricane Harvey, at the Arkema chemical plant in Crosby, Texas. The Chemical Safety Board released an investigative report on the incident and found that the chemical industry is wholly unprepared for extreme weather events, like floods and hurricanes. Last year, the New York Times reported that more than 2,500 sites handling toxic chemicals are in flood-prone areas around the country.

Instead of addressing these threats, the Trump administration has moved aggressively to diminish protections for workers and communities around chemical facilities. For instance, despite losing in court, EPA continues to try to roll back the Risk Management Planning program improvement rule that bolsters safety at these facilities.

The SPEAKER pro tempore (Mr. BLUMENAUER). The time of the gentleman has expired.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield an additional 1 minute to the gentleman from New Jersey.

Mr. PALLONE. EPA is also systematically ignoring risks to workers in implementing the revised Toxic Substances Control Act. And President Trump has twice tried to eliminate the Chemical Safety Board, which investigates disasters at these facilities.

As chairman of the Energy and Commerce Committee, I will be conducting thorough oversight of the increased threats to dangerous chemical facilities and this administration's concerted efforts to disregard risks to workers and hot spot communities. That oversight will inform our future efforts to improve the CFATS program.

We must ensure the safety and security of the workers, first responders, and communities living near our Nation's chemical facilities. That means extending this program while we consider how to improve it.

Mr. Speaker, I thank my colleagues on both sides of the aisle on the Energy and Commerce Committee and the bipartisan relationship of the Committee on Homeland Security for working with me on this important bill to ensure continuity of this program, and I urge that we pass this bill immediately.

Mr. ROGERS of Alabama. Mr. Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker I yield 2 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of the Chemical Facility Anti-Terrorism Standards Program Extension Act. This bipartisan bill is supported by the full committee and relevant subcommittee chairs and ranking members of the Committee on Energy and Commerce and the Committee on Homeland Security.

The Department of Homeland Security's Chemical Facility Anti-Terrorism Standards, or CFATS, program is an important part of our Nation's counterterrorism efforts to secure high-risk chemical facilities.

The program was created in 2006 and it had its first long-term reauthorization in 2014. Unfortunately, without further congressional action, CFATS will terminate later this month.

The bill before us would grant a clean, 2-year extension of the program. I believe this will give the new Congress ample time to continue program oversight and make any reforms necessary for the next long-term extension.

For one, I strongly believe we should be looking at all aspects of risks at chemical facilities, not just terrorism. Chemical fires, explosions, and releases can have serious consequences, regardless of whether an incident was an accident, a natural disaster, or an act of terrorism. A holistic approach to chemical risks, which obviously includes security, should also account for workers and communities' safety and facilities' resilience.

Recent natural disasters have exposed previously unaccounted for vulnerabilities at some facilities. During Hurricane Harvey, we saw the potential for devastation, when a power outage and equipment failure led to a significant chemical fire at the Arkema facility in Crosby, Texas.

Ensuring that these critical sites are resilient to risks associated with climate change and extreme weather events will be critical for the long-term safety and security of not only the sites, but also surrounding communities.

I want to recognize the efforts of Jacqueline Cohen and other members of the Energy and Commerce Committee Democratic staff for their work on this bill.

Mr. Speaker, I urge my colleagues to support H.R. 251, and I hope we can continue bipartisan efforts to improve the program as we work toward a long-term reauthorization in the 116th Congress.

Mr. ROGERS of Alabama. Mr. Speaker, I urge Members to support this bill, and I yield back the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, H.R. 251 was introduced by Democratic and Republican leadership of the Homeland Security Committee and the Energy and Commerce Committee.

This bill would allow the Department of Homeland Security to continue working with high risk chemical facility owners and operators throughout the U.S. to guard dangerous chemicals against malicious actors.

□ 1700

For proof of how grave this threat is, one need look no further than West, Texas, where, in 2013, a perpetrator set fire to a fertilizer plant, causing an explosion that leveled an entire town. More than a dozen first responders and civilians lost their lives in the blast.

Allowing authority to lapse would throw away the progress that has been made since 2014 and needlessly make our communities less secure.

Mr. Speaker, I urge my colleagues in the House to support H.R. 251 and call on the Senate to join us in maintaining this important security program.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, I rise in support of H.R. 251, the "Chemical Facility Anti-Terrorism Standards Program Extension Act," which will extend by two years the Chemical Facility Anti-Terrorism Standards Program (CFATS) of the Department of Homeland Security (DHS) and for other purposes.

I thank Chairman Bernie Thompson of the House Homeland Security Committee for his leadership in introducing this important bill to improve chemical facility security.

The Chemical Facility Anti-Terrorism Standards CFATS program is the first in the nation to focus specifically on security at high-risk chemical facilities.

Through this regulatory program, the Department of Homeland Security (DHS) works with facilities to ensure they have security measures in place to reduce the risk associated with certain hazardous chemicals, and prevent them from being exploited in terrorist attack.

These facilities must submit their chemical holdings to DHS via a process known as a Top Screen, which in turn is used by DHS to determine if the facilities is considered high risk and must develop a security plan.

The Department of Homeland Security reported more than 90,000 Top-Screen submissions from more than 40,000 unique facilities, of this number, CFATS program currently cover 3,355 facilities.

Today, Texas is the national leader in petroleum refining and chemical products production.

Texas alone produces 5.1 million barrels of crude oil per day, which accounted 29 percent of total U.S. refining capacity.

According to the Businessintexas.com, more than 3,700 energy-related establishments are located within the Houston Metropolitan Statistical Area.

The Houston area contributes 40 percent of the national petrochemical capacity.

The great benefits of the chemical industry provide to our nation a significant economic strength that cannot be underestimated.

Unfortunately, this great reward does not come without risks.

In 2013, a deadly fertilizer plant explosion in West, Texas killed 15 people, injured over 200 people and wiped out hundreds of homes.

On November 15, 2014, a leak of nearly 24,000 pounds of toxic chemical killed four workers at the E. I. DuPont de Nemours insecticide plant in La Porte, Texas.

In 2017, Hurricane Harvey caused a chemical plant explosion.

That is why it is important that we vote today to implement the following recommendations from the report:

1. Extend by two years the Chemical Facility Anti-Terrorism Standards program of the Department Homeland Security and other purposes.

2. Continue outreach in support to the DHS effort to identify chemical facility that are high risks, which will expand availability of CFATS compliance assistance materials and engage stakeholder to raise awareness of CFATS requirement and make improve the safety.

Because the mission of DHS is to ensure that our homeland is safe, secure, and resilient against terrorism and other hazards, effective communication within the organization is crucial.

Since its founding, the Department of Homeland Security has overcome many challenges as an organization but much more progress must be made regarding Chemical Facility Anti-Terrorism Standards program.

Although not a panacea, H.R. 251 is a step in the right direction because it will help improve DHS' overall functions so that it can more effectively protect our people.

I urge my colleagues to join me in supporting this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 251.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. THOMPSON of Mississippi. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

CLARITY ON SMALL BUSINESS PARTICIPATION IN CATEGORY MANAGEMENT ACT OF 2019

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 226) to amend the Small Business Act to include best in class designations in the annual report on small business goals prepared by the Administrator of the Small Business Administration, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 226

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clarity on Small Business Participation in Category Management Act of 2019''.

SEC. 2. INCLUSION OF BEST IN CLASS DESIGNATIONS IN ANNUAL REPORT ON SMALL BUSINESS GOALS.

Section 15(h) of the Small Business Act (15 U.S.C. 644(h)) is amended by adding at the end the following new paragraph:

''(4) BEST IN CLASS SMALL BUSINESS PARTICIPATION REPORTING.—

''(A) ADDENDUM.—The Administrator, in addition to the requirements under paragraph (2), shall include in the report required by such paragraph, for each best in class designation—

''(i) the total amount of spending Governmentwide in such designation;

''(ii) the number of small business concerns awarded contracts and the dollar amount of such contracts awarded within each such designation to each of the following—

''(I) qualified HUBZone small business concerns;

''(II) small business concerns owned and controlled by women;

''(III) small business concerns owned and controlled by service-disabled veterans; and

''(IV) small business concerns owned and controlled by socially and economically disadvantaged individuals.

''(B) BEST IN CLASS DEFINED.—The term 'best in class' has the meaning given such term by the Director of the Office of Management and Budget.

''(C) EFFECTIVE DATE.—The Administrator shall report on the information described by subparagraph (A) beginning on the date that such information is available in the Federal Procurement Data System, the System for Award Management, or any successor to such systems.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of my bill, H.R. 226, the Clarity on Small Business Participation in Category Management Act of 2019.

Let me begin by welcoming back Ranking Member CHABOT to this new Congress. I have been privileged to serve on the Small Business Committee for two decades and appreciate the relationship the ranking member and I have cultivated. I look forward to working with him on this bill and others as we remain steadfast in our efforts to ensure small businesses have the resources to thrive now and in the future.

Our committee has long acknowledged small businesses' critical role in the $500 billion a year Federal marketplace. When small firms are awarded Federal contracts, the result is a win-win.

Category management is believed by some to be the best strategy to get agencies the lowest price, but my committee has heard otherwise, and the data backs this up. Small contractors on the multiple award schedule consistently provide lower prices to agencies than those offered through category management.

Despite this, agencies have increased the use of category management, which not just increases costs to the Federal Government but also limits contracts to small vendors. In our committee hearings last year, we heard that more and more contracts are being consolidated and put out of the reach of small businesses as a result of category management.

This bill is a commonsense first step to address the need of small vendors, particularly minority-, women-, and veteran-owned small businesses, to remain competitors in the Federal marketplace. By requiring that contracting activity under this new regime of category management be reported in the annual goaling report from agencies to Congress, today's bill protects the industrial base by creating a mechanism for much-needed accountability.

H.R. 226 gives us the ability to analyze the data so that we can truly understand the role category management is playing in the marketplace and make changes accordingly.

Mr. Speaker, I am proud to offer this bill to provide accountability to the category management regime. I urge Members to support this legislation, and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 226, the Clarity on Small Business Participation in Category Management Act of 2019.

I thank Chairwoman VELÁZQUEZ for working with us in a bipartisan manner on this bill, as we have done over the years on a whole range of other bills, whether the Democrats are in the majority or the Republicans are in the majority. On this committee, Ms. VELÁZQUEZ and I have been able to work in a bipartisan manner, and we appreciate that very much on this bill and many other things as well.

Category management is a procurement initiative that is being adopted across the Federal Government. If implemented properly, it can be a beneficial tool, allowing the government to better understand its purchasing habits and identify cost savings, where appropriate.

However, as we discovered in a full committee hearing that we held on this topic last Congress, setting mandatory targets to manage agency spending may result in unintended consequences that could impact the small business industrial base.

Specifically, this initiative may inadvertently reduce competition to only a few vendors and may discourage new and emerging small businesses from entering the Federal marketplace.

As a result, we may see a decrease in competition and an exodus of small businesses from the Federal contracting base. We should ensure that maximum opportunities are given to small businesses as we continue to pursue cost savings across the Federal Government.

While I applaud the administration's efforts to reduce waste and identify areas where savings could be achieved, when we do so, we should try to avoid harming small businesses whenever possible.

H.R. 226 takes a first step toward assessing the impacts of category management on small businesses by requiring the Small Business Administration to report exactly how much is awarded to small businesses through the best in class contracts. Establishing this baseline and regularly monitoring these numbers is critical.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. THOMPSON), the chairman of the Committee on Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank my friend, Ms. VELÁZQUEZ, for yielding me the time.

Mr. Speaker, we are currently on the 18th day of President Trump's government shutdown. On a daily basis, the economic harm of the shutdown is being felt more acutely by small businesses in the Federal marketplace than their larger competitors. In contrast to large firms, small firms often rely on just a few contracts to provide a large portion of their annual revenue. As such, many report that, during the shutdown, they may have to lay off staff.

Small firms are projected to lose out on nearly $301 million daily in new contract work because agencies cannot enter into new contracts during the shutdown.

I urge the President to put America first and agree to reopen the government.

Mr. Speaker, I rise in support of H.R. 226, the Clarity on Small Business Participation and Category Management Act of 2019. H.R. 226 seeks to improve reporting on small business participation in Federal contracting.

This legislation requires the Small Business Administration to report to Congress on the number of small businesses awarded best in class contracts and the dollar amount of such contracts. This information should help us get answers regarding how category management impacts the participation of small businesses, including minority-owned, women-owned, and veteran-owned companies, in the Federal marketplace.

Market research has shown that past contract consolidation efforts by the Federal Government have decreased the number of small prime contracting opportunities in the Federal workplace. In fiscal year 2017, the percentage of contracting dollars that went to small businesses was 24 percent, down from 26 percent in fiscal year 2015. As such, concerns about the impact of category management on small businesses are understandable.

As a longtime advocate for small businesses, I am pleased to cosponsor this legislation, and I thank the gentlewoman from New York for bringing this bill forward.

Mr. Speaker, I urge my colleagues to support small businesses by voting in favor of this legislation.

Mr. CHABOT. Mr. Speaker, before I address just some final points about this bill, I have to respond a bit to the gentleman from Mississippi relative to the shutdown, which we all hope will be resolved as soon as possible.

I don't think anybody in this body wants portions of the government to shut down and people not to be paid during that period of time. Hopefully, they will be paid in the future, but we don't necessarily want to pay people for not working, because we don't want them not to be working in the first place. So we need to get the government back open.

That being said, at this point, there is a standoff because the President and many Members in this body and in the other body believe that it is time for us to enhance our border security, and that is one of the principal issues right now and why the government is not open completely. Most of the government is open. It is a relatively small portion. However, any portion of the government that is closed is too much.

But we do have folks who have been coming across illegally at our southern border, and many believe that we do need to enhance the security at that border. Part of that is a wall, or barrier, or substantial fencing, or one thing or another—whatever you want to call it—and we need do that. We owe it to the American people to do that. So with that being said, I will just leave it there.

Mr. Speaker, I do believe that we ought to be looking to save taxpayer dollars in the procurement process, and category management may be a tool to do just that. However, we must maintain a vibrant industrial base that has a healthy and growing population of small firms to increase competition, spur innovation, and drive down costs.

This commonsense bill increases oversight on the administration's efforts to streamline the procurement process and aims to ensure small firms are not harmed in that process.

Mr. Speaker, I urge my colleagues to support this bipartisan legislation, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, let me just respond to the gentleman's comment regarding the shutdown. The fact of the matter is that the President campaigned and told the American people that he will build a wall and that it will be paid for by the Government of Mexico, and that is not what he is telling us now.

Besides, this is the President's shutdown, and he was very proud when he made that comment to Speaker PELOSI and the minority leader, CHUCK SCHUMER.

Mr. Speaker, I am proud of this important legislation to provide much-needed oversight of small business participation in the streamlined acquisition strategy known as category management.

□ 1715

H.R. 226 requires that contracting activity under this new regime be reported in the annual goaling report from agencies to Congress. This data would allow us to better understand how small firms fare under this new system and make adjustments if needed to guarantee an equitable playing field.

This bill protects the small business industrial base by giving a mechanism for much-needed accountability. It is supported by the National Small Business Association, the U.S. Chamber of Commerce, and the National Electrical Contractors Association, which is the voice of the $171 billion electrical construction industry.

I thank the ranking member for his support of H.R. 226, and I remain committed to ensuring small firms are competitive within the Federal marketplace.

Mr. Speaker, I urge Members to support this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 226, the "Clarity on Small Business Participation in Category Management," which amends the Small Business Act.

This act would require the Administrator of the Small Business Administration to provide in its business goal report information as to how many small businesses are participating in the "best in class" vehicles so Congress can ascertain the effectiveness of such contracting vehicles for small firms.

H.R. 226 amends "the Small Business Act to include best in class designations in the annual report on small business goals prepared by the Administrator of the Small Business Administration, and for other purposes."

The report is to include among other things, the number of small business concerns awarded contracts and the dollar amount of such contracts awarded within each such designation to qualified HUBZone small business concerns, small business concerns owned and controlled by women, small business concerns owned and controlled by service-disabled veterans, and small business concerns owned and controlled by social and economically disadvantaged individuals.

Mr. Speaker, 99.9 percent of women-owned businesses are small businesses, whereas the majority of male- and female-owned employer businesses have fewer than five employees, more male-owned small businesses employ five or more employees.

Of the 30 million small businesses nationwide, 8 million are owned by minorities.

Between 2007 and 2012 minority owned small businesses increased in volume by around 38 percent.

Small businesses "are the engines of job creation in the United States."

Small businesses contribute to growth and vitality in many important areas of economic and socioeconomic development.

Small businesses create jobs and job opportunities, spark innovation, and provide opportunities for women and minorities to achieve financial success and independence.

For these reasons, I ask my colleagues to join me in supporting H.R. 226.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 226.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. VELÁZQUEZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

INCENTIVIZING FAIRNESS IN SUBCONTRACTING ACT

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 227) to amend the Small Business Act to specify what credit is given for certain subcontractors and to provide a dispute process for non-payment to subcontractors, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 227

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Incentivizing Fairness in Subcontracting Act''.

SEC. 2. SMALL BUSINESS LOWER-TIER SUBCONTRACTING.

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended—

(1) by amending paragraph (16) to read as follows:

''(16) CREDIT FOR CERTAIN SMALL BUSINESS CONCERN SUBCONTRACTORS.—

''(A) IN GENERAL.—For purposes of determining whether or not a prime contractor has attained the percentage goals specified in paragraph (6)—

''(i) if the subcontracting goals pertain only to a single contract with the Federal agency, the prime contractor may elect to receive credit for small business concerns performing as first tier subcontractors or subcontractors at any tier pursuant to the subcontracting plans required under paragraph (6)(D) in an amount equal to the total dollar value of any subcontracts awarded to such small business concerns; and

''(ii) if the subcontracting goals pertain to more than one contract with one or more Federal agencies, or to one contract with more than one Federal agency, the prime contractor may only receive credit for first tier subcontractors that are small business concerns.

''(B) COLLECTION AND REVIEW OF DATA ON SUBCONTRACTING PLANS.—The head of each contracting agency shall ensure that—

''(i) the agency collects and reports data on the extent to which contractors of the agency meet the goals and objectives set forth in subcontracting plans submitted pursuant to this subsection; and

''(ii) the agency periodically reviews data collected and reported pursuant to subparagraph (A) for the purpose of ensuring that such contractors comply in good faith with the requirements of this subsection and subcontracting plans submitted by the contractors pursuant to this subsection.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to allow a Federal agency to establish a goaling requirement for lower-tier subcontractors of a prime contractor that is eligible to receive lower-tier subcontracting credit under this paragraph''; and

(2) by adding at the end the following:

''(18) DISPUTE PROCESS FOR NON-PAYMENT TO SUBCONTRACTORS.—

''(A) NOTICE TO AGENCY.—With respect to a contract with a Federal agency, a subcontractor of a prime contractor on such contract may, if the subcontractor has not received payment for performance on such contract within 30 days of the completion of such performance, notify the Office of Small and Disadvantaged Business Utilization ('OSDBU') of the Federal agency and the prime contractor of such lack of payment, if such notice is provided to the agency within the 15-day period following the end of such 30 days.

''(B) AGENCY DETERMINATION.—

''(i) IN GENERAL.—Upon receipt of a notice described under subparagraph (A), the OSDBU shall verify whether such lack of payment has occurred and determine whether such lack of payment is due to an undue restriction placed on the prime contractor by an action of the Federal agency.

''(ii) RESPONSE DURING DETERMINATION.—During the period in which the OSDBU is making the determination under clause (i), the prime contractor may respond to both the subcontractor and the OSDBU with relevant verifying documentation to either prove payment or allowable status of nonpayment.

''(C) CURE PERIOD.—If the OSDBU verifies the lack of payment under subparagraph (B) and determines that such lack of payment is not due to an action of the Federal agency, the OSDBU shall notify the prime contractor and provide the prime contractor with a 15-day period in which the prime contractor may make the payment owed to the subcontractor.

''(D) RESULT OF NONPAYMENT.—If, after notifying the prime contractor under subparagraph (C), the OSDBU determines that the prime contractor has not fully paid the amount owed within the 15-day cure period described under subparagraph (C), the OSDBU shall ensure that such failure to pay is reflected in the Contractor Performance Assessment Reporting system (or any successor system).''.

SEC. 3. MAINTENANCE OF RECORDS WITH RESPECT TO CREDIT UNDER A SUBCONTRACTING PLAN.

Section 8(d)(6) of the Small Business Act (15 U.S.C. 637(d)(6)) is amended—

(1) by redesignating subparagraphs (G) and (H) as subparagraphs (H) and (I), respectively (and conforming the margins accordingly); and

(2) by inserting after subparagraph (F) the following:

''(G) a recitation of the types of records the successful offeror or bidder will maintain to demonstrate that procedures have been adopted to substantiate the credit the successful offeror or bidder will elect to receive under paragraph (16)(A)(i);''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 227, the Incentivizing Fairness in Subcontracting Act.

In fiscal year 2017, the Federal Government purchased goods and services worth over $508 billion through over 22 million contract actions. Unfortunately, not all this money remained with the original prime contractor and, instead, trickled down to subcontractors.

Subcontractors are growing in importance as an avenue for small businesses to work with the government, so it is important that barriers to entry are reduced. Today's bill does just that by helping contractors get the credit they need to meet Federal requirements, while also creating a dispute process for nonpayment—a recurring problem for those working with the Federal Government.

By improving the tools that exist for small businesses to become subcontractors, today's measure will draw in more small businesses that are not regular government contractors. This is a critical step to expanding the industrial base and including more small firms.

Most importantly, it ensures more small contractors have just recourse through the Office of Small and Disadvantaged Business Utilization if payment is not received within 30 days of completion. Timely payment protects small contractors who do not have the overhead margins to continue operating without being paid.

Today's bill is endorsed by the U.S. Chamber of Commerce, the National Small Business Association, and the National Electrical Contractors Association.

Mr. Speaker, I urge Members to support this legislation, and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 227, the Incentivizing Fairness in Subcontracting Act.

I, again, would like to thank Chairwoman VELÁZQUEZ as well as the gentleman from Mississippi, TRENT KELLY, for their leadership on this important bipartisan legislation.

As this committee has established time and again, small businesses play a vital role in the health and strength of the Federal marketplace. A vibrant small business community promotes innovation and competition, which results in better quality products and services provided at a lower cost to the taxpayer. Therefore, it is critically important that strong incentives exist to entice new small businesses to consider doing business in the Federal space.

One of the primary methods small businesses use to gain a foothold in Federal contracting is through subcontracting. As such, they rely on large prime contractors to make these opportunities available and to receive payment in a timely manner. This often creates an imbalance of power with the large prime contractor having the advantage.

This bill provides small businesses with more leverage by establishing a new measure of accountability on large prime contractors. Small subcontractors may seek redress with the Federal agency small business advocate to resolve any nonpayment issues stemming from the large prime contractor. Unresolved payment issues will reflect poorly on the prime contractor's record, which will impact the prime contractor's ability to win future contracts.

This bill establishes an important safeguard to discourage large prime contractors from taking advantage of their small subcontractors. The result will be a stronger and healthier industrial base, which is good for government. It is also, importantly, good for the taxpayer. I urge my colleagues to support this commonsense legislation.

Mr. Speaker, in closing, I want to thank the gentlewoman, again, for her leadership on this, as well as Mr. KELLY.

As we have discussed, this legislation provides an important safeguard to discourage large prime contractors from taking advantage of their small subcontractors. Given how important

small subcontractors are to the Federal procurement process, it is critical we ensure that they have an adequate system of redress should they have legitimate issues with the prime contractors. Once again, we are looking out for the little guy, which is what this committee does, and I think we all really appreciate that.

Mr. Speaker, I urge my colleagues to support this bipartisan legislation, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I am pleased to introduce this piece of legislation which protects our small contractors by updating the subcontracting goaling regime through increased flexibility and accountability.

Establishing incentives to count low-tier subcontracting awards and a dispute process for subcontractors to utilize in the event of nonpayment ensures a healthy Federal procurement marketplace. Today's legislation spreads the economic power of Federal procurement to more companies and the communities where they are located.

I want to thank the gentleman from Mississippi (Mr. KELLY) for cosponsoring this critical legislation and for all his work on this issue while serving on the Small Business Committee, and I would like to also take this opportunity to thank the ranking member.

Mr. Speaker, I urge Members to support this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 227, which amends the Small Business Act to specify what credit is given for certain subcontractors and to provide a dispute process for non-payment to subcontractors.

Mr. Speaker, it is of the utmost importance that we pass this legislation to ensure subcontractors receive the credit and payment for performance that they have earned.

Between 2010 and 2016, Texas' population grew at the second-greatest rate in the country, accompanied by increased demand for residential, retail and commercial space.

With this increased demand came an increase in small businesses and the need for subcontractors across the state.

This fact alone explains why H.R. 227 is so important not only to small businesses throughout the country but specifically the small businesses and subcontractors in Texas that deserve compensation for their performance in a timely manner.

The Houston Chapter of the American Subcontractors Association (ASA–HC) is a collective voice for a diverse membership that was created in order to ensure quality, safety and ethics in construction trades.

ASA–HC advocates for legislative reform and provides educational opportunities for the subcontracting community.

Since ASA–HC's founding in 1966, more than 2,500 member companies throughout the United States, and more than 160 members in Houston benefit from the advocacy ASA offers to its members.

These hard-working Americans deserve nothing less than our maximal support for this bill.

Not only do these Americans deserve our support for H.R. 227, they deserve our maximum efforts to end the government shutdown.

Thousands of subcontractors whose pay comes from federal contracts have little hope of recouping the pay they lost when the government is not operating.

Julie Burr, a single mom from Kansas City, struggles to support her family during this shutdown.

She has been out of work and cannot receive pay for the two weeks prior to the shutdown because there is no one to process her time sheet.

She has taken extra shifts in her side job as a seasonal employee at Barnes and Noble, but it only makes up 25 percent of what her normal pay would be and she has had to ask for an extension on her rent payment, which was due on the first of the month.

Ethan James, a 21 year old minimum-wage contractor can only realistically miss three to four days of work before his standard of living is compromised.

He now risks missing his rent payment because he is not receiving the checks he depends on to sustain himself.

These hardworking Americans deserve more, we cannot afford to drag our feet on such an important issue.

I urge my colleagues to join me in voting for H.R. 227 and standing true to our nation's commitment to supporting and protecting small businesses and subcontractors.

I include in the RECORD a new article entitled "During Shutdown, Janitors, Security Guards and other Federal Contractors receive no back pay."

[From ABC News, January 2, 2019]

DURING SHUTDOWN, JANITORS, SECURITY GUARDS, AND OTHER FEDERAL CONTRACTORS RECEIVE NO BACK PAY

(By Stephanie Ebbs and Anne Flaherty)

While hundreds of thousands of federal workers will have to wait for back pay after the government shutdown ends, thousands more whose pay comes from federal contracts have little hope of recouping the pay they lose when the government isn't operating. Some contractors are turning to other means to make up for the lost income, like taking extra shifts at a second job.

Julie Burr, an administrative assistant for the Department of Transportation in Kansas City, said she doesn't expect any compensation for the time she's been out of work during the shutdown and that she can't even get paid for the two weeks before it started because there's no one to process her time sheet.

"I'm just trying to take one day at a time honestly," Burr said in a phone interview. "I keep turning on the news and think maybe today's the day something will happen."

She said she's taken extra shifts in her side job as a seasonal employee at Barnes and Noble but it only makes up 25 percent of what her normal pay would be and she's had to ask for an extension on her rent payment, which was due on the first of the month.

Burr even set up a GoFundMe page to try and help with some of the expenses and is concerned that even if she can set up a payment plan it could hurt her credit score.

"I'm a single mom . . . we aren't a two income family or anything. It's just me, and I'm kind of trying to make things meet and if it comes to the point of selling items in the house I'll do that," she said.

During previous government shutdowns, Congress has passed resolutions approving back pay for most federal workers. But contract workers like custodians and security officers, whose hourly wages are funded by private companies, don't get paid unless they work.

According to 32BJ SEIU, that means sudden unemployment with no end in sight for the 370 Smithsonian security officers in Washington D.C. protecting the popular museums—which house everything from Judy Garland's ruby red slippers from "The Wizard of Oz" to Charles Lindbergh's Spirit of St. Louis airplane—as well as the 50 security officers who work for Smithsonian museums in New York.

32BJ SEIU is a large property service workers' union that estimates some 2,000 of its members are facing potential paycheck disruptions as a result of the shutdown, including some 70 custodians at the Agriculture Department alone.

Most of those workers aren't eligible for back pay because they are paid by private companies with government contracts instead of being government employees.

It's a particularly ironic twist for federal workers caught in the showdown between President Donald Trump and congressional Democrats over funding for a border wall.

The union said that almost of all of its members are African-American or Latino and many don't support Trump's efforts to build a border wall.

"A true focus on America would mean support for the hardworking men and women who keep our government safe, clean and running every day while supporting their own families and communities across the country," said Jaime Contreras, a 32BJ SEIU vice president, in a statement.

"I wish everybody would just sit down and come to a compromise," she said.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 227.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SMALL BUSINESS ADVOCACY IMPROVEMENTS ACT OF 2019

Ms. VELÁZQUEZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 128) to clarify the primary functions and duties of the Office of Advocacy of the Small Business Administration, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 128

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Advocacy Improvements Act of 2019".

SEC. 2. AMENDMENT TO PRIMARY FUNCTIONS AND DUTIES OF THE OFFICE OF ADVOCACY OF THE SMALL BUSINESS ADMINISTRATION.

(a) PRIMARY FUNCTIONS.—Section 202 of Public Law 94–305 (15 U.S.C. 634b) is amended—

(1) in paragraph (1), by inserting "and the international economy" after "economy";

(2) in paragraph (9), by striking "complete" and inserting "compete"; and

(3) in paragraph (12), by striking "serviced-disabled" and inserting "service-disabled".

(b) DUTIES.—Section 203(a) of Public Law 94–305 (15 U.S.C. 634c) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(7) represent the views and interests of small businesses before foreign governments and international entities for the purpose of contributing to regulatory and trade initiatives which may affect small businesses.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 128, the Small Business Advocacy Improvements Act.

There are nearly 30 million small businesses in the United States representing more than 99 percent of all businesses. These small firms employ nearly 50 percent of all private-sector employees in the U.S. The SBA Office of Advocacy represents an important tool for these businesses because it is their voice that the office embodies in all matters of government.

Clarifying the authority of Advocacy to examine international economic data and represent small business interests in international discussions, particularly in trade negotiations, raises the ability of small American firms to participate in a global market. The office has already been participating in various international working groups on regulatory cooperation and trade initiatives with the sole focus of protecting and raising the interests of small businesses.

Their unique knowledge is necessary in trade negotiations to prevent indirect consequences from harming small firms and providing a more equitable playing field within international trade. That is why I urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 128, the Small Business Advocacy Improvements Act of 2019.

I would like to once again thank Chairwoman VELÁZQUEZ for working in a cooperative and bipartisan manner to bring this measure to the House floor. I would also like to thank our colleague from Kentucky (Mr. COMER) for his leadership in sponsoring this legislation. He will be speaking here shortly.

This bipartisan bill, which passed the House back in the 115th Congress, the last Congress, simply clarifies the role of the Office of Advocacy of the United States Small Business Administration, which is charged with representing small businesses before Federal agencies whose policies and activities may affect them. The office also examines the role of small businesses in the American economy and the contributions they make in improving competition.

Advocacy is vital to ensuring that small firms are heard when the Federal Government makes policy decisions that will impact them. The current law is silent regarding Advocacy's ability to study the role of small businesses in international economies, which is an important avenue for many small companies as they seek opportunities to expand overseas. This legislation would clarify that Advocacy should include international economies as part of its research functions, which will help us to better understand how international economies impact our Nation's small businesses.

The current law is also silent regarding Advocacy's authority to represent small businesses before foreign governments and international entities. This bill clarifies that Advocacy may represent small business views and interests before foreign governments and other international entities by contributing to regulatory and trade initiatives. Considering Advocacy's experience with regulatory and trade initiatives, it makes sense to ensure that the needs of America's small businesses are fairly represented in the international space as well.

Again, I want to thank the sponsor of this legislation, the gentleman from Kentucky (Mr. COMER), and Chairwoman VELÁZQUEZ for working on this important legislation and producing a simple solution to clarify the role of this office, and I urge my colleagues to support this straightforward legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky (Mr. COMER).

Mr. COMER. Mr. Speaker, I rise today in support of H.R. 128, the Small Business Advocacy Improvements Act of 2019.

I am proud, once again, to be the sponsor of this legislation which passed the House in a bipartisan manner during the 115th Congress. I want to thank my colleague, Chairwoman VELÁZQUEZ, for working with me on this bill.

The Office of Advocacy at the United States Small Business Administration plays a vital role in ensuring that Federal agencies adequately consider how their policies impact America's small businesses. While the Office of Advocacy has done excellent work on behalf of our Nation's small businesses, the current law is silent on whether it can research and advocate on behalf of small business on international matters such as trade initiatives and regulations. This is a problem that we can easily address.

For many small businesses, exporting and operating overseas is an important part of their success and allows them to grow. Given the Office of Advocacy's knowledge and research on how domestic regulations impact small businesses, it is appropriate for the office to advocate and research small business interests on international matters as well, especially since international opportunities play a vital role for many of our Nation's small businesses.

This bill advances the Office of Advocacy's mission to advocate for America's small businesses and clarifies its authority on international small business issues. Mr. Speaker, I urge my colleagues to support this important bipartisan bill.

□ 1730

Ms. VELÁZQUEZ. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself the balance of my time.

This commonsense legislation provides the Chief Counsel for Advocacy the statutory authority to represent the Nation's small businesses in the international realm. This timely legislation will provide the office with greater latitude to represent America's small businesses internationally.

Mr. Speaker, I urge my colleagues to support this commonsense legislation, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself the balance of my time.

There is no question that we need to support our small businesses across the country, no matter their location or industry, when they are attempting to break into international commerce.

Today's bill leverages the unique position and knowledge of the SBA's Office of Advocacy to amplify the voice of small firms in international settings. Today is an important step to break down international barriers for small entrepreneurs entering into the world of trade.

Finally, I thank the gentleman from Kentucky (Mr. COMER), for his diligence on this matter.

Mr. Speaker, I urge Members to support this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 128 the ''Small Business Advocacy Improvements Act,'' which clarifies the duties of the SBA's Office of Advocacy.

I support this legislation because, among other things, it mandates the SBA Office of Advocacy to examine small business issues in international economies and authorizes the Office to represent small businesses interests before international entities and foreign governments dealing with regulatory and trade initiatives that affect small businesses.

The Small Business Administration's Office of Advocacy is an independent voice for small

business within the federal government that advocates on the behalf of this vital sector of the U.S. economy.

H.R. 128 clarifies and amends the duties of the Office of Advocacy to better serve the concerns of small businesses before Congress, the Federal Government and the international economy.

Small businesses are a critical component of the United States economy and the 8 million minority owned businesses reflect the diversity of our economy and our country.

Small businesses make up 44 percent of the U.S. wages and salaries paid annually to employees which helps stimulate and drive the rest of the U.S. economy.

SBA reported in 2018 that 99.9 percent of businesses within the United States are classified as Small Businesses, encompassing almost 50 percent of all employees with the United States.

In Texas, 98.6 percent of firms with employees were small businesses in 2012 and 93 percent of goods exported internationally were by small businesses.

By including the international economy within the interests of the SBA Office of Advocacy, small businesses will be able to compete effectively with international entities and expand to their full potential.

For these reasons, I ask my colleagues to join me in supporting H.R. 128 and upholding the importance of small businesses within our own economy and our presence internationally.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 128.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 32 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DEUTCH) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Motions to suspend the rules and pass:

H.R. 269, by the yeas and nays; and

H.R. 251, by the yeas and nays; and

Agreeing to the Speaker's approval of the Journal, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

PANDEMIC AND ALL-HAZARDS PREPAREDNESS AND ADVANCING INNOVATION ACT OF 2019

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 269) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 401, nays 17, not voting 15, as follows:

[Roll No. 13]

YEAS—401

Abraham
Adams
Aderholt
Aguilar
Allen
Allred
Amodei
Armstrong
Arrington
Axne
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (IN)
Brown (MD)
Brownley (CA)
Bucshon
Budd
Burchett
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cline
Cloud
Clyburn
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Cummings
Cunningham
Curtis
Davids (KS)
Davidson (OH)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duffy
Duncan
Dunn
Emmer
Engel
Escobar
Eshoo
Espaillat
Estes
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Flores
Fortenberry
Foster
Foxx (NC)
Fudge
Fulcher
Gabbard
Gallagher
Gallego
Garamendi
Garcia (IL)
Garcia (TX)
Gianforte
Gibbs
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gooden
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TX)
Griffith
Grijalva
Grothman
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Harris
Hartzler
Hastings
Hayes
Heck
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (NY)
Hill (AR)
Hill (CA)
Himes
Holding
Hollingsworth
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd (TX)
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Jordan
Joyce (OH)
Joyce (PA)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (NY)
Kinzinger
Kirkpatrick
Krishnamoorthi
Kustoff (TN)
LaHood
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Matsui
McAdams
McBath
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
Meadows
Meeks
Meng
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mucarsel-Powell
Mullin
Murphy
Nadler
Napolitano
Neal
Neguse
Newhouse
Norcross
Norman
Nunes
O'Halleran
Ocasio-Cortez
Olson
Omar
Palazzo
Pallone
Palmer
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Reed
Reschenthaler
Rice (NY)
Rice (SC)
Richmond
Riggleman
Roby
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Shimkus
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Steube
Stevens
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Timmons
Tipton
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Wasserman Schultz
Waters
Watkins
Watson Coleman
Welch
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yarmuth
Young
Zeldin

NAYS—17

Amash
Babin
Biggs
Brooks (AL)
Gohmert
Gosar
Green (TN)
Higgins (LA)
King (IA)
Massie
Perry
Posey
Ratcliffe
Roy
Weber (TX)
Webster (FL)
Yoho

NOT VOTING—15

Buchanan
Buck
DeFazio
Frankel
Gaetz
Jackson Lee
Jones
Kelly (PA)
Kuster (NH)

LaMalfa	Rooney (FL)	Titus
Mast	Ryan	Wilson (FL)

□ 1859

Messrs. RATCLIFFE, GOSAR, BABIN, WEBER of Texas, GREEN of Tennessee, and POSEY changed their vote from ''yea'' to ''nay.''

Messrs. DUNCAN, RICHMOND, and EMMER changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE COMMEMORATING THE EIGHTH ANNIVERSARY OF THE TUCSON, ARIZONA, SHOOTING

(Mrs. KIRKPATRICK asked and was given permission to address the House for 1 minute.)

Mrs. KIRKPATRICK. Mr. Speaker, 8 years ago today, at 10:10 a.m., 19 members of the Tucson community were shot in a despicable act of violence that shocked the Nation.

They were attending a Congress on Your Corner event, where Congresswoman Gabby Giffords was meeting with her constituents, when they were gunned down in a senseless tragedy that killed 6 and wounded 13.

The shooter fired his weapon 33 times in less than 20 seconds and was attempting to reload his handgun when the courageous actions of three people stopped him. Had they not done so, many others would have been wounded or killed.

The six people who died were: Christina-Taylor Green, Dorothy ''Dot'' Morris, Federal Judge John Roll, Phyllis Schneck, Dorwan Stoddard, and Gabriel ''Gabe'' Zimmerman.

People who were wounded by the gunmen were: Bill Badger; Congressman Ron Barber, who is now my district director; Ken Dorushka; James Fuller; Randy Gardner; Congresswoman Gabby Giffords; Suzi Hileman; George Morris; Mary Reed; Pam Simon; Mavy Stoddard; Jim Tucker; and Kenneth Veeder.

The members of my community had never seen such a devastating tragedy before, and yet they responded with compassion and kindness toward the survivors and the families of those who were murdered. They did not let this horrific tragedy define who we were.

Three memorials sprang up spontaneously: at the site of the shooting, at Congresswoman Gifford's office, and at the university hospital where the most seriously wounded were taken.

Thanks to the quick actions of members of the public and first responders who rushed to treat the wounded, lives were saved that morning.

The mental health of everyone in attendance was adversely affected, and many of the survivors still endure the physical and mental impact the shooting had on their lives.

The families of the six people who were killed grieve the loss of their loved ones to this day. I am so honored that our colleague Gabby Giffords is with us tonight.

Gabby served with great distinction in this House and, despite her nearly fatal injuries, has gone on to encourage and inspire us to take action to reduce gun violence in our country.

Today, a bipartisan group of our colleagues responded to Gabby's call by introducing and cosponsoring H.R. 8. This bill, which I support, will keep guns out of the hands of people who are currently prohibited by law from purchasing guns. It will eliminate loopholes in the current background check system.

The bill will not prevent responsible gun owners from buying guns, but it will make sure that their gun purchases are made in compliance with our existing laws.

Mr. Speaker, I look forward to the debate that we will have regarding H.R. 8, and hope that we will soon pass this bill out of our Chamber.

Gun violence in our Nation is a major public health problem, and it must be addressed. The American people who sent us here are waiting for us to step up and act responsibly on their behalf. We must do so.

Mr. Speaker, I ask that the House observe a moment of silence in remembrance of those whom we lost.

The SPEAKER pro tempore. The House will observe a moment of silence.

CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM EXTENSION ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 251) to extend by two years the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. THOMPSON) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 3, not voting 16, as follows:

[Roll No. 14]

YEAS—414

Abraham	Babin	Bergman
Adams	Bacon	Beyer
Aderholt	Baird	Bilirakis
Aguilar	Balderson	Bishop (GA)
Allen	Banks	Bishop (UT)
Allred	Barr	Blumenauer
Amodei	Barragán	Blunt Rochester
Armstrong	Bass	Bonamici
Arrington	Beatty	Bost
Axne	Bera	Boyle, Brendan F.
Brady	Fulcher	Loebsack
Brindisi	Gabbard	Lofgren
Brooks (AL)	Gallagher	Long
Brooks (IN)	Gallego	Loudermilk
Brown (MD)	Garamendi	Lowenthal
Brownley (CA)	García (IL)	Lowey
Bucshon	Garcia (TX)	Lucas
Budd	Gianforte	Luetkemeyer
Burchett	Gibbs	Luján
Burgess	Gohmert	Luria
Bustos	Golden	Lynch
Butterfield	Gomez	Malinowski
Byrne	Gonzalez (OH)	Maloney, Carolyn B.
Calvert	Gonzalez (TX)	Maloney, Sean
Carbajal	Gooden	Marchant
Cárdenas	Gosar	Marino
Carson (IN)	Gottheimer	Marshall
Carter (GA)	Granger	Matsui
Carter (TX)	Graves (GA)	McAdams
Cartwright	Graves (LA)	McBath
Case	Graves (MO)	McCarthy
Casten (IL)	Green (TN)	McCaul
Castor (FL)	Green (TX)	McClintock
Castro (TX)	Griffith	McCollum
Chabot	Grijalva	McEachin
Cheney	Grothman	McGovern
Chu, Judy	Guest	McHenry
Cicilline	Guthrie	McKinley
Cisneros	Haaland	McMorris Rodgers
Clark (MA)	Hagedorn	McNerney
Clarke (NY)	Harder (CA)	Meadows
Clay	Harris	Meeks
Cleaver	Hartzler	Meng
Cline	Hastings	Meuser
Cloud	Hayes	Miller
Clyburn	Heck	Mitchell
Cohen	Hern, Kevin	Moolenaar
Cole	Herrera Beutler	Mooney (WV)
Collins (GA)	Hice (GA)	Moore
Collins (NY)	Higgins (LA)	Morelle
Comer	Higgins (NY)	Moulton
Conaway	Hill (AR)	Mucarsel-Powell
Connolly	Hill (CA)	Mullin
Cook	Himes	Murphy
Cooper	Holding	Nadler
Correa	Hollingsworth	Napolitano
Costa	Horn, Kendra S.	Neal
Courtney	Horsford	Neguse
Cox (CA)	Houlahan	Newhouse
Craig	Hoyer	Norcross
Crawford	Hudson	Norman
Crenshaw	Huffman	Nunes
Crist	Huizenga	O'Halleran
Crow	Hunter	Ocasio-Cortez
Cuellar	Hurd (TX)	Olson
Cummings	Jayapal	Omar
Cunningham	Jeffries	Palazzo
Curtis	Johnson (GA)	Pallone
Davids (KS)	Johnson (LA)	Palmer
Davidson (OH)	Johnson (OH)	Panetta
Davis (CA)	Johnson (SD)	Pappas
Davis, Danny K.	Johnson (TX)	Pascrell
Davis, Rodney	Jordan	Payne
Dean	Joyce (OH)	Pence
DeGette	Joyce (PA)	Perlmutter
DeLauro	Kaptur	Perry
DelBene	Katko	Peters
Delgado	Keating	Peterson
Demings	Kelly (IL)	Phillips
DeSaulnier	Kelly (MS)	Pingree
DesJarlais	Kennedy	Pocan
Deutch	Khanna	Porter
Diaz-Balart	Kildee	Posey
Dingell	Kilmer	Pressley
Doggett	Kim	Price (NC)
Doyle, Michael F.	Kind	Quigley
Duffy	King (IA)	Raskin
Duncan	King (NY)	Ratcliffe
Dunn	Kinzinger	Reed
Emmer	Kirkpatrick	Reschenthaler
Engel	Krishnamoorthi	Rice (NY)
Escobar	Kustoff (TN)	Rice (SC)
Eshoo	LaHood	Richmond
Espaillat	Lamb	Riggleman
Estes	Lamborn	Roby
Evans	Langevin	Roe, David P.
Ferguson	Larsen (WA)	Rogers (AL)
Finkenauer	Larson (CT)	Rogers (KY)
Fitzpatrick	Latta	Rose (NY)
Fleischmann	Lawrence	Rose, John W.
Fletcher	Lawson (FL)	Rouda
Flores	Lee (CA)	Rouzer
Fortenberry	Lee (NV)	Roy
Foster	Lesko	Roybal-Allard
Foxx (NC)	Levin (CA)	Ruiz
Fudge	Levin (MI)	Ruppersberger
	Lewis	Rutherford
	Lieu, Ted	
	Lipinski	

Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Shimkus
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Steube
Stevens
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Timmons
Tipton
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Wasserman Schultz
Waters
Watkins
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yarmuth
Yoho
Young
Zeldin

NAYS—3

Amash
Biggs
Massie

NOT VOTING—16

Buchanan
Buck
DeFazio
Frankel
Gaetz
Jackson Lee
Jones
Kelly (PA)
Kuster (NH)
LaMalfa
Mast
Rooney (FL)
Rush
Ryan
Titus
Wilson (FL)

□ 1917

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BOST. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 161, answered ''present'' 2, not voting 35, as follows:

[Roll No. 15]

YEAS—235

Adams
Aguilar
Allred
Amodei
Arrington
Bacon
Banks
Barragán
Bass
Beatty
Bera
Bergman
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady
Brown (MD)
Budd
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Carter (TX)
Cartwright
Case
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Collins (GA)
Collins (NY)
Comer
Cooper
Correa
Courtney
Cox (CA)
Craig
Crist
Cuellar
Cunningham
Curtis
Davids (KS)
Davidson (OH)
Davis (CA)
Davis, Danny K.
Dean
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fleischmann
Fletcher
Fortenberry
Foster
Foxx (NC)
Gabbard
Gallego
Garamendi
García (IL)
Garcia (TX)
Gomez
Gonzalez (TX)
Granger
Green (TX)
Grijalva
Grothman
Haaland
Harder (CA)
Hastings
Heck
Higgins (LA)
Higgins (NY)
Hill (CA)
Himes
Hollingsworth
Horn, Kendra S.
Houlahan
Hoyer
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kim
King (IA)
King (NY)
Kinzinger
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Lesko
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Matsui
McBath
McClintock
McCollum
McEachin
McGovern
McMorris Rodgers
McNerney
Meeks
Moore
Morelle
Moulton
Murphy
Nadler
Napolitano
Neal
Neguse
Norcross
Norman
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perry
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Quigley
Raskin
Reschenthaler
Richmond
Riggleman
Roby
Rose (NY)
Rouda
Roybal-Allard
Rush
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Simpson
Slotkin
Smith (NJ)
Smith (WA)
Soto
Spanberger
Spano
Speier
Stanton
Stefanik
Steil
Stevens
Stewart
Swalwell (CA)
Takano
Taylor
Thompson (MS)
Thornberry
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Wasserman Schultz
Watson Coleman
Webster (FL)
Welch
Wenstrup
Wexton
Wild

NAYS—161

Abraham
Aderholt
Allen
Amash
Armstrong
Axne
Babin
Baird
Balderson
Barr
Beyer
Bilirakis
Bishop (UT)
Bost
Brindisi
Brownley (CA)
Bucshon
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Cheney
Cline
Cloud
Cole
Conaway
Connolly
Cook
Costa
Crawford
Crenshaw
Crow
Davis, Rodney
DesJarlais
Diaz-Balart
Duffy
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Flores
Fudge
Fulcher
Gallagher
Gianforte
Gibbs
Golden
Gonzalez (OH)
Gooden
Gosar
Gottheimer
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Hill (AR)
Horsford
Huizenga
Hunter
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (PA)
Kelly (MS)
Kilmer
Kind
Krishnamoorthi
Kustoff (TN)
LaHood
Lamborn
Latta
Loudermilk
Lucas
Luetkemeyer
Marino
Marshall
Massie
McAdams
McCarthy
McCaul
McHenry
McKinley
Meng
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Mucarsel-Powell
Mullin
Newhouse
Olson
Palazzo
Palmer
Pence
Perlmutter
Peterson
Posey
Ratcliffe
Reed
Rice (NY)
Rice (SC)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose, John W.
Rouzer
Roy
Ruiz
Rutherford
Scalise
Schrier
Scott, Austin
Sensenbrenner
Shimkus
Smith (MO)
Smith (NE)
Smucker
Stauber
Steube
Stivers
Suozzi
Thompson (CA)
Thompson (PA)
Timmons
Tipton
Turner
Upton
Van Drew
Walden
Walker
Walorski
Waltz
Waters
Watkins
Weber (TX)
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

ANSWERED ''PRESENT''—2

Gohmert
Tonko

NOT VOTING—35

Biggs
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Casten (IL)
Cohen
Cummings
DeFazio
Frankel
Gaetz
Hayes
Holding
Hudson
Huffman
Jackson Lee
Jones
Kelly (PA)
Kirkpatrick
Kuster (NH)
LaMalfa
Mast
Meadows
Nunes
O'Halleran
Price (NC)
Rooney (FL)
Ruppersberger
Ryan
Schrader
Sires
Titus
Tlaib
Wilson (FL)
Yarmuth

□ 1928

So the Journal was approved.

The result of the vote was announced as above recorded.

□ 1930

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 264, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019; PROVIDING FOR CONSIDERATION OF H.R. 265, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019; PROVIDING FOR CONSIDERATION OF H.R. 266, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019; PROVIDING FOR CONSIDERATION OF H.R. 267, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019; AND WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM THE COMMITTEE ON RULES

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 116–1) on the resolution (H. Res. 28) providing for consideration of the bill (H.R. 264) making appropriations for financial services and general government for the fiscal year ending September 30,

2019, and for other purposes; providing for consideration of the bill (H.R. 265) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the bill (H.R. 266) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the bill (H.R. 267) making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

WALL WON'T SOLVE DRUG PROBLEM

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Madam Speaker, the President's demand for $5 billion for a wall won't stop the drug trade, and here is why: The drugs will keep flowing in here, due to NAFTA and CAFTA's exploding continental trade resulting from U.S. jobs being shipped south of our border and the goods they produce down there being transshipped back here with an endless flow of trucks, planes, ships, and railcars. Colombian drug cartels figured this out when NAFTA came along.

Madam Speaker, I have a story from last Friday's Wall Street Journal, entitled: ''`El Chapo' Jury Told of Cartel's Tricks, From Submarines to Laundry Carts.'' Two characters among the most significant drug traffickers ever extradited to our country are undergoing trial.

They explain how massive amounts of cocaine and methamphetamines were ferried from Colombia through Mexico into major U.S. cities and how the cartel hired families from the United States to drive down through El Paso into Mexico and bring back contraband material hidden in compartments in their cars. This is a shot of Laredo, Texas, just one of hundreds of portals into our country.

Madam Speaker, the trucks go for miles from the control point all the way back. This is how the majority of contraband material comes into this country, through those portals of entry. A wall will not solve the major reason these materials end up in this country.

2019 LEGISLATIVE AGENDA TOUR

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, yesterday, I hosted press conferences for a 2019 agenda in the Midlands, Aiken, and Barnwell with my wife, Roxanne.

I am grateful for the 2018 successes of serving as Armed Services Readiness Subcommittee chairman to rebuild the military, leading the House delegation to open the Embassy in Jerusalem, and tax cuts creating jobs with record-high middle-class income.

In 2019, I will work to create jobs and economic growth, support conservative alternatives, achieve foreign affairs opportunities, and promote our military and veterans. Building on bipartisan successes, I am confident this year we can be productive for American families.

Congratulations to the Clemson Tigers for their victory for the national championship. Coach Dabo Swinney and Quarterback Trevor Lawrence are an inspiration for the youth of America.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

WE NEED TO OPEN THE GOVERNMENT

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Madam Speaker, yesterday, I met with a group of Federal workers in Tacoma to discuss the impacts of the government shutdown. One of the folks there was a prison guard. She told me that, without her paycheck, she didn't know if she could pay for childcare or for the prescriptions she needs after successfully fighting cancer just last year.

Because of this shutdown, that is the conversation that is unfolding across 800,000 kitchen tables as Federal workers try to figure out how to scrape together mortgage payments and rent payments, trying to make due without a paycheck.

This crisis doesn't just impact Federal workers. It hurts entire communities. It hurts the economy around Olympic National Park, such as hotel owners and restaurateurs, when people cancel their visit to the park because of the shutdown. It affects college students, prospective home buyers, and small business owners who won't have access to Federal loans because of this shutdown.

Madam Speaker, while we can have a legitimate discussion about immigration reform, America doesn't need a wall. It doesn't need a 5th century answer to a 21st century challenge. America needs an open government. The Senate and the President can and should make this happen right now.

EMERGENCY DECLARATION: BUILD THE WALL

(Mr. PALAZZO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALAZZO. Madam Speaker, the American people are sick and tired of our porous borders and of the inability of Washington to get things done.

Every day that we fail to secure these borders, more drug runners, human traffickers, and violent criminals enter our communities. It is time we quit playing politics and give the American people what they want and what they voted for.

Although President Trump has certainly pushed the topic into the spotlight, the idea of a wall is nothing new. We have been talking about a wall for decades. This is not a work in progress. This is a failure of leadership.

Presidents, Republican and Democratic alike, have failed to secure our border. It is time for the President to take emergency action. And make no mistake: Our border security absolutely constitutes a national emergency.

Every day, our brave soldiers are breaking their backs to support our national security across the globe, yet we can't secure our own country here at home. If you were to ask any of them what the priority in this Nation is, I think you would receive resounding support for a border wall and border security.

We simply cannot continue to operate as we have. The time has come for our President to take decisive action, and I urge him do everything in his power to build this wall.

HELP SOLVE THE GUN CRISIS

(Ms. BROWNLEY of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWNLEY of California. Madam Speaker, on November 7, 12 lives were stolen from us during the shooting at the Borderline Bar & Grill in my district. As our community began to reckon with this tragedy, I said: ''Today we mourn. Tomorrow we work to end the senseless gun violence ravaging our Nation.''

But we didn't even have time to recover from our shock before wildfires raged through our community. Our trauma was made unthinkably worse, but we were also united by these dual tragedies, united in reflection and healing.

My community knows that there is no single solution to ending mass shootings, but we also know that to do nothing, to not even try, would be unimaginable. We cannot bring back those lives lost, but we can take sensible action to find solutions that will make the lives of our constituents better and safer.

One very obvious, commonsense solution that more than 90 percent of this country supports is universal background checks. H.R. 8 will not solve all of the gun violence that is ripping our Nation apart, but it will help. That is

what we are here to do. I urge my colleagues to support H.R. 8.

HONORING THE LIFE OF JOHNNY MURPHY

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Madam Speaker, I rise today to remember the life of Mr. Johnny Murphy, who passed away on December 19 at the age of 63.

When Mr. Murphy passed, he was serving as the mayor pro tem of Richmond Hill in Georgia's First Congressional District. However, this is far from the only way that he served his community. Without his effort and dedication to the area, Richmond Hill likely wouldn't be where it is today.

In 1984, Mr. Murphy started a real estate company called the Richmond Hill Land Company, when the town was much smaller and didn't yet have a red light. Since then, he started the Richmond Hill-Bryan County Chamber of Commerce, Richmond Hill Reflections magazine, and served on the city council and as mayor pro tem. Now the city has grown to have multiple neighborhoods and something for everyone to do, including one of the largest festivals in the area, the Richmond Hill Seafood Festival.

I am proud to have had someone in our district who can make an impact like that of Mr. Murphy. His family will be in my thoughts and prayers during this difficult time.

CONGRATULATING LUIGI BATTAGLIOLI

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Madam Speaker, I rise to congratulate Luigi Battaglioli, a visionary senior at Burnt Hills-Ballston Lake High School, whose app was recently selected as the winner of the 2018 Congressional App Challenge for New York's 20th Congressional District.

Luigi's submission stood out in an impressive field from students across our district. His app, CodeGeek.org, is an online classroom that teaches novice students how to code through video lessons, educational texts, and challenge assignments.

Growing a modern, sustainable, and competitive economy requires exceptional STEM training and education. Luigi's commitment to making coding accessible to anyone on the internet truly embodies the spirit of the Congressional App Challenge. He has earned the pride and praise of our entire capital region community. May his work inspire others to share his passion in the coming year and beyond.

SUGAR LAND, TEXAS: BEST OF THE BEST

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Madam Speaker, the world knows no one takes better care of their friends than Texans. The whole world knows my hometown of Sugar Land is the best of the best. The world saw this in global stories about Hurricane Harvey, but the world misses so many stories.

There was a Fort Bend Star article about an eight-alarm fire that destroyed eight apartments weeks before Christmas. The world needs to know about Nazila, Isabella, Blanca, Ann, and Troy. That fire burned all they owned, except two cellos Ann uses to teach kids music at Austin High School. As the world can see, Ann and her loved ones have a fully furnished apartment, courtesy of BEL Furniture in Sugar Land, Texas.

Sugar Land is the best of the best—the best in America, the best in the world.

And that is just the way it is.

HONORING GEORGIA GOVERNOR NATHAN DEAL

(Mr. FERGUSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FERGUSON. Madam Speaker, I rise today to honor one of Georgia's most successful public servants, Governor Nathan Deal.

Governor Deal has led our State with grace and tenacity for the last 8 years, and his time in office has been marked by years of success for our State. In fact, since 2014, Georgia has been ranked the best State in the Nation to do business. That distinction is a direct result of Governor Deal's leadership, his focus on economic development, his investment in statewide workforce development initiatives and training programs, and a shear desire to see our fellow Georgians succeed. His commitment has, in fact, led to more and better jobs for my fellow Georgians and produced a workforce that is second to none in the world.

Governor Deal and his wife, Sandra, are headed to a much-deserved retirement, some rest, and an awful lot of fun. We wish them the best. I know all Georgians offer their gratitude as well.

Governor Deal, thank you for making Georgia a better place.

□ 1945

BORDER SECURITY

(Mr. GOHMERT asked and was given permission to address the House for 1 minute.)

Mr. GOHMERT. Madam Speaker, in 2007 there was a vote in this body about whether or not we provide a barrier, a wall, a fence, and we had Democratic leaders who voted for it back then, both here and in the Senate. Seventy-nine Senators voted for it back then.

The problem is not better on our border, and, in fact, the drugs coming across are worse. There was enough fentanyl coming across in the past year to kill every American adult. The problem is worse.

Folks here were for a wall, a barrier. It seems the only difference is now there is a President that some in here absolutely despise.

BORDER SECURITY

The SPEAKER pro tempore (Ms. STEVENS). Under the Speaker's announced policy of January 3, 2019, the gentleman from Pennsylvania (Mr. MEUSER) is recognized for 60 minutes as the designee of the minority leader.

Mr. MEUSER. Madam Speaker, it is with a great sense of honor, respect, and patriotism I make my first address on this floor.

This government shutdown needs to be resolved. The people know it is up to this Congress to do it and to do so in short order.

Despite the high level of political morass we must wade through in these first days of the 116th Congress, I continue to believe that this Congress can do things better and actually work together to get things done for the American people.

The need exists to advance and improve our border security, as well as correct aspects of our illegal immigration laws.

The problem-solving, however, starts with securing our borders. Our borders are a serious problem. We all know this. The data is indisputable by anyone who seriously reviews the information.

We have hundreds of thousands entering our country illegally every year, and our Border Patrol agents cannot manage the situation with the resources and tools Congress has appropriated.

There is a cost and a plan to make our borders properly secure. Congress has the responsibility to provide the right level of funding so border security staff can, in fact, do their job and so our country has lawful immigration.

The experts at Homeland Security say this cost is $5.7 billion. There are many in this Congress who will not vote for this, but less than 7 years ago, these same Members voted for border security funding which did, in fact, include a physical barrier.

Politics has no place in this serious matter. The border agents, including Chris Cabrera of the National Border Patrol Council, emphasizes that a wall, or a barrier, is an essential tool. We here in Congress must provide the means so Border Patrol can do their job.

I, myself, do believe in a policy of high fences and wide legal gates, but before we can talk about legal gates and deal with the issues such as DACA

and extended work visas for agricultural workers, we must secure the border.

The people want us to work together for our country, not for ourselves or our political parties. Let's not continue to let the people down. Let's show that this Congress can do things better.

Madam Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Ms. PELOSI) for today and January 9 until 6 p.m. on account of medical procedure.

Mr. MAST (at the request of Mr. MCCARTHY) for today through January 17 on account of the birth of his child.

PUBLICATION OF BUDGETARY MATERIAL

Mr. YARMUTH. Madam Speaker, pursuant to section 103(c) of the H. Res. 6, adopted rules of the House of Representatives for the One-Hundred Sixteenth Congress, I hereby submit for printing in the CONGRESSIONAL RECORD the lists of discretionary accounts identified for advance appropriations in Fiscal Year 2019 appropriation bills.

ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS

FOR FISCAL YEAR 2020

Labor, Health and Human Services, and Education:
Employment and Training Administration.
Education for the Disadvantaged.
School Improvement Programs.
Career, Technical, and Adult Education.
Special Education.
Transportation, Housing and Urban Development:
Tenant-based Rental Assistance.
Project-based Rental Assistance.

FOR FISCAL YEAR 2021

Labor, Health and Human Services, and Education:
Corporation for Public Broadcasting

VETERANS ACCOUNTS IDENTIFIED FOR ADVANCE APPROPRIATIONS

Military Construction, Veterans Affairs:
Veterans Medical Services.
Veterans Medical Support and Compliance.
Veterans Medical Facilities.
Veterans Medical Community Care.

ADJOURNMENT

Mr. MEUSER. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 50 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, January 9, 2019, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

12. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's Major final rule — Nuclear Classification and Declassification [AU60-2016-1045] (RIN: 1992-AA49) received January 3, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

13. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's interim staff guidance — Digital Instrumentation and Controls Licensing Process [DI&C-ISG-06, Revision 2] received January 7, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

14. A communication from the President of the United States, transmitting a notification of a deployment of United States Armed Forces personnel to Libreville, Gabon, to be in position to support the security of United States citizens, personnel, and diplomatic facilities in Kinshasa, Democratic Republic of the Congo, pursuant to 50 U.S.C. 1543(a); Public Law 93-148, Sec. 4(a); (87 Stat. 555) (H. Doc. No. 116—5); to the Committee on Foreign Affairs and ordered to be printed.

15. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period October 1, 2018, to December 31, 2018, pursuant to 2 U.S.C. 104a (H. Doc. No. 116—6); to the Committee on House Administration and ordered to be printed.

16. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of the General Counsel, Department of Energy, transmitting the Department's final rule — Inflation Adjustment of Civil Monetary Penalties received January 3, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCGOVERN: Committee on Rules. H. Res. 28. A resolution providing for consideration of the bill (H.R. 264) making appropriations for financial services and general government for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the bill (H.R. 265) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the bill (H.R. 266) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the bill (H.R. 267) making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules. (Rept. 116–1). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. THOMPSON of California (for himself, Mr. KING of New York, Mr. NADLER, Mr. FITZPATRICK, Ms. JACKSON LEE, Mr. MAST, Ms. KELLY of Illinois, Mr. UPTON, Mrs. MCBATH, and Mr. SMITH of New Jersey):

H.R. 8. A bill to require a background check for every firearm sale; to the Committee on the Judiciary.

By Mr. QUIGLEY:

H.R. 264. A bill making appropriations for financial services and general government for the fiscal year ending September 30, 2019, and for other purposes; to the Committee on Appropriations.

By Mr. BISHOP of Georgia:

H.R. 265. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2019, and for other purposes; to the Committee on Appropriations.

By Ms. MCCOLLUM:

H.R. 266. A bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; to the Committee on Appropriations.

By Mr. PRICE of North Carolina:

H.R. 267. A bill making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; to the Committee on Appropriations.

By Mrs. LOWEY:

H.R. 268. A bill making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself, Mrs. BROOKS of Indiana, Ms. DEGETTE, Mr. LATTA, Mrs. DINGELL, Mr. GUTHRIE, Mr. PALLONE, and Mr. WALDEN):

H.R. 269. A bill to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Homeland Security, Veterans' Affairs, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. considered and passed.

By Mr. O'HALLERAN (for himself, Mr. GONZALEZ of Texas, Ms. SPANBERGER, Mr. JOHNSON of Georgia, Mr. COOPER, Mrs. MURPHY, Mr. BEYER, Mr. CARBAJAL, Mrs. DINGELL, Mr. CUELLAR, Mr. VEASEY, Mr. CASTEN of Illinois, Mr. DELGADO, Mr. SEAN PATRICK MALONEY of New York, Mr. LIPINSKI, and Mr. ALLRED):

H.R. 270. A bill to direct the Congressional Budget Office to submit daily reports during the period in which a Government shutdown is in effect on the effects of the shutdown on the economy and the costs of the shutdown to taxpayers, and for other purposes; to the Committee on Oversight and Reform.

By Mr. BROOKS of Alabama (for himself and Mr. POSEY):

H.R. 271. A bill making appropriations for Federal employees working during the Government shutdown beginning on or about December 22, 2018, and for other purposes; to the Committee on Appropriations.

By Mr. KING of Iowa (for himself, Mr. PETERSON, Mr. MARSHALL, Mr. ESTES, and Mr. GIBBS):

H.R. 272. A bill to prevent States and local jurisdictions from interfering with the production and distribution of agricultural products in interstate or foreign commerce, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself and Mr. PASCRELL):

H.R. 273. A bill to improve presidential and vice presidential tax transparency, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mrs. KIRKPATRICK, Mrs. LESKO, Mr. SCHWEIKERT, Mr. STANTON, Mr. O'HALLERAN, and Mr. GALLEGO):

H.R. 274. A bill to authorize, direct, expedite, and facilitate a land exchange in Yavapai County, Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. WELCH (for himself, Mr. ROONEY of Florida, Mr. POCAN, Ms. DELAURO, Ms. CASTOR of Florida, Mr. CICILLINE, Mr. CUMMINGS, Ms. SCHAKOWSKY, Ms. MCCOLLUM, Mr. LIPINSKI, Mr. LYNCH, Mr. SHERMAN, and Mr. COHEN):

H.R. 275. A bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself, Mr. LOWENTHAL, Mr. MCNERNEY, Ms. JACKSON LEE, Ms. BROWNLEY of California, Ms. MCCOLLUM, Mr. FITZPATRICK, Mr. KHANNA, Ms. NORTON, Mr. LARSEN of Washington, Mr. GARAMENDI, Mr. THOMPSON of Pennsylvania, Mr. DIAZ-BALART, Mr. SCHIFF, Ms. ROYBAL-ALLARD, Mr. MCGOVERN, Mr. DESAULNIER, Mr. YARMUTH, Mr. SWALWELL of California, Mrs. LEE of Nevada, and Mr. CARBAJAL):

H.R. 276. A bill to direct the Secretary of Education to establish the Recognizing Inspiring School Employees (RISE) Award Program recognizing excellence exhibited by classified school employees providing services to students in prekindergarten through high school; to the Committee on Education and Labor.

By Ms. VELÁZQUEZ (for herself and Mr. CHABOT):

H.R. 277. A bill to adjust collateral requirements under the Small Business Act for disaster loans, and for other purposes; to the Committee on Small Business.

By Mr. NEWHOUSE:

H.R. 278. A bill to direct the Secretary of the Interior to convey certain facilities, easements, and rights-of-way to the Kennewick Irrigation District, and for other purposes; to the Committee on Natural Resources.

By Mr. CARBAJAL (for himself, Ms. BROWNLEY of California, Ms. LOFGREN, Mrs. NAPOLITANO, Mr. SCHIFF, Mr. GARAMENDI, Mr. HUFFMAN, Mr. CÁRDENAS, Mrs. DAVIS of California, Ms. BARRAGÁN, Mr. SWALWELL of California, Mr. MCNERNEY, Mr. KHANNA, Ms. SPEIER, Mr. LOWENTHAL, Mr. AGUILAR, Mr. SHERMAN, Ms. LEE of California, Ms. ROYBAL-ALLARD, Ms. HILL of California, Mr. TAKANO, Mr. LEVIN of California, Mr. CISNEROS, Mr. DESAULNIER, Mr. ROUDA, Mr. PANETTA, Mr. GOMEZ, Mr. THOMPSON of California, Mr. CORREA, Ms. ESHOO, Ms. SÁNCHEZ, Ms. MATSUI, Mr. RUIZ, Mr. BERA, Mr. COX of California, Mr. PETERS, Mrs. TORRES of California, Ms. PORTER, Ms. JUDY CHU of California, Mr. VARGAS, Mr. TED LIEU of California, and Ms. BASS):

H.R. 279. A bill to permanently prohibit oil and gas leasing off the coast of the State of California, and for other purposes; to the Committee on Natural Resources.

By Mrs. BEATTY:

H.R. 280. A bill to provide for systemic research, treatment, prevention, awareness, and dissemination of information with respect to sports-related and other concussions; to the Committee on Energy and Commerce.

By Mrs. BEATTY (for herself, Mr. DAVID SCOTT of Georgia, Mr. MEEKS, Ms. VELÁZQUEZ, Mr. CLAY, and Ms. JAYAPAL):

H.R. 281. A bill to amend the Federal Reserve Act to require Federal Reserve banks to interview at least one individual reflective of gender diversity and one individual reflective of racial or ethnic diversity when appointing Federal Reserve bank presidents, and for other purposes; to the Committee on Financial Services.

By Mrs. BEATTY (for herself, Ms. NORTON, Ms. MCCOLLUM, and Mrs. HAYES):

H.R. 282. A bill to improve public safety through sensible reforms to firearms regulations; to the Committee on the Judiciary.

By Mr. BISHOP of Georgia (for himself, Mr. AUSTIN SCOTT of Georgia, and Mr. LOUDERMILK):

H.R. 283. A bill to adjust the boundaries of the Ocmulgee Mounds National Historical Park, and for other purposes; to the Committee on Natural Resources.

By Ms. BROWNLEY of California:

H.R. 284. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for mortgage insurance premiums; to the Committee on Ways and Means.

By Ms. BROWNLEY of California:

H.R. 285. A bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion from gross income of discharge of qualified principal residence indebtedness; to the Committee on Ways and Means.

By Ms. CASTOR of Florida (for herself, Mr. ROONEY of Florida, Mr. CRIST, and Mr. BUCHANAN):

H.R. 286. A bill to amend the Outer Continental Shelf Lands Act to prohibit oil and gas preleasing, leasing, and related activities in certain areas of the Outer Continental Shelf off the coast of Florida, and for other purposes; to the Committee on Natural Resources.

By Mr. CICILLINE (for himself, Ms. CLARK of Massachusetts, Mr. COURTNEY, Ms. DELAURO, Mr. GOLDEN, Mrs. HAYES, Mr. HIMES, Mr. KEATING, Mr. KENNEDY, Ms. KUSTER of New Hampshire, Mr. LANGEVIN, Mr. LARSON of Connecticut, Mr. LYNCH, Mr. MCGOVERN, Mr. MOULTON, Mr. NEAL, Mr. PAPPAS, Ms. PINGREE, Ms. PRESSLEY, Mrs. TRAHAN, and Mr. WELCH):

H.R. 287. A bill to prohibit oil and gas leasing on the outer Continental Shelf off the coast of New England; to the Committee on Natural Resources.

By Mr. COLE:

H.R. 288. A bill to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbuckle Project, Oklahoma, to the Arbuckle Master Conservancy District, and for other purposes; to the Committee on Natural Resources.

By Mr. COLE:

H.R. 289. A bill to establish the Commission on Long Term Social Security Solvency, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLE:

H.R. 290. A bill to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns; to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUNNINGHAM (for himself and Mr. ROONEY of Florida):

H.R. 291. A bill to amend the Outer Continental Shelf Lands Act to place a ten-year moratorium on oil and gas preleasing, leasing, and related activities on the Outer Continental Shelf in the North Atlantic, Mid-Atlantic, South Atlantic, and Straits of Florida planning areas and in the Eastern Gulf of Mexico; to the Committee on Natural Resources.

By Mr. CURTIS:

H.R. 292. A bill to allow certain State and tribal permitting authority to encourage expansion of broadband service to rural and tribal communities, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO:

H.R. 293. A bill to prevent and reduce the use of tobacco products, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself, Mr. MCEACHIN, Mr. ESPAILLAT, Mr. HASTINGS, Mrs. NAPOLITANO, Mr. COHEN, Mr. MOULTON, Ms. NORTON, Mr. SCHIFF, Mr. LUJÁN, Ms. CLARKE of New York, Mrs. BEATTY, Ms. JAYAPAL, Mr. DESAULNIER, Mr. KHANNA, Mr. TED LIEU of California, Mr. RASKIN, Mr. BLUMENAUER, Mr. BROWN of Maryland, and Mr. CARSON of Indiana):

H.R. 294. A bill to treat the Tuesday next after the first Monday in November in the same manner as any legal public holiday for purposes of Federal employment, and for other purposes; to the Committee on Oversight and Reform.

By Mr. FITZPATRICK (for himself, Mr. KEATING, Mr. MCCAUL, and Mrs. CAROLYN B. MALONEY of New York):

H.R. 295. A bill to increase the role of the financial industry in combating human trafficking; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX of North Carolina (for herself, Mrs. HARTZLER, Mr. SCALISE, Ms. CHENEY, Mr. DUNCAN, Mr. JONES, Mr. GROTHMAN, Mr. DAVID P. ROE of Tennessee, Mr. NORMAN, Mr. AMASH, Mr. BIGGS, Mr. POSEY, Mr. LAMBORN, Mr. HICE of Georgia, Mr. SMITH of Missouri, Mr. LAMALFA, Mr. MEADOWS, Mr. FLEISCHMANN, Mr. HIGGINS of Louisiana, Mr. YOHO, Mr. GOSAR, Mr. PALAZZO, Mr. ARRINGTON, Mr. LONG, Mr. WILLIAMS, Mr. RATCLIFFE, Mr. GIBBS, Mr. MARSHALL, Mr. COMER, Mr. BRADY, Mr. BUDD, Mr. MULLIN, Mr. LATTA, Mr. JORDAN, Mr. KELLY of Mississippi, Mr. ESTES, Mr. KUSTOFF of Tennessee, Mr. WALKER, Mr. BILIRAKIS, Mr. BALDERSON, Mr. HUNTER, Mr. CRAWFORD, Mr. FORTENBERRY, Mr. SMUCKER, Mr. MARCHANT, Mr. AUSTIN SCOTT of Georgia, Mr. CONAWAY, Mr. ADERHOLT, Mr. BANKS, Mr. ABRAHAM, Mr. WENSTRUP, Mr. FLORES, Mr. HARRIS, Mr. WESTERMAN, Mr. OLSON, Mr. CLOUD, Mr. EMMER, and Mr. BABIN):

H.R. 296. A bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GIANFORTE:

H.R. 297. A bill to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes; to the Committee on Natural Resources.

By Mr. GIANFORTE:

H.R. 298. A bill to reduce a portion of the annual pay of Members of Congress for the failure to adopt a concurrent resolution on the budget which does not provide for a balanced budget, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Oversight and Reform, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAKANO (for himself, Mr. COURTNEY, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SERRANO, Mr. NEAL, Mr. PETERS, Mrs. DAVIS of California, Mr. MCEACHIN, Mrs. DINGELL, Ms. KUSTER of New Hampshire, Mr. BISHOP of Georgia, Ms. NORTON, Ms. GABBARD, Ms. BROWNLEY of California, Mr. LIPINSKI, Mrs. NAPOLITANO, Mr. LOEBSACK, Mr. ENGEL, Ms. MENG, Mr. DEFAZIO, Mr. LANGEVIN, Ms. MCCOLLUM, Mr. CONNOLLY, Ms. CLARKE of New York, Mr. TONKO, Mr. BROWN of Maryland, Ms. SCHAKOWSKY, Mr. MASSIE, Mrs. WATSON COLEMAN, Mr. MICHAEL F. DOYLE of Pennsylvania, Miss RICE of New York, Mr. BEYER, Mr. KATKO, Mrs. MURPHY, Mr. SEAN PATRICK MALONEY of New York, Mr. CARBAJAL, Mr. KILDEE, Mr. RYAN, Mr. SABLAN, Ms. STEFANIK, Mr. SIRES, Mr. PALLONE, Ms. VELÁZQUEZ, Mr. LAWSON of Florida, Ms. PINGREE, Mr. POCAN, Mrs. BEATTY, Mr. CISNEROS, Mr. GARAMENDI, Mr. CORREA, Mr. HASTINGS, Mr. ESPAILLAT, Mr. PERLMUTTER, Ms. ADAMS, Mr. RUSH, Ms. TITUS, Mr. THOMPSON of Mississippi, Mr. CARTWRIGHT, Ms. KELLY of Illinois, Mr. SCHNEIDER, Mr. CICILLINE, Mr. AGUILAR, Mr. DUNCAN, Mr. O'HALLERAN, Mr. COHEN, Mr. KHANNA, Mr. FORTENBERRY, Mr. GONZALEZ of Texas, Mr. WELCH, Mr. BOST, Mr. SOTO, Mr. SWALWELL of California, Mr. LYNCH, Mr. FOSTER, Ms. BONAMICI, Mr. PASCRELL, Mr. LAMB, Mr. BARR, Mr. SCOTT of Virginia, Mr. BILIRAKIS, Mr. CÁRDENAS, Mr. COOK, and Mr. PALAZZO):

H.R. 299. A bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. FOXX of North Carolina (for herself and Mr. CUELLAR):

H.R. 300. A bill to provide for additional safeguards with respect to imposing Federal mandates, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committees on the Budget, Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBBS (for himself, Mr. STIVERS, Ms. STEFANIK, Mr. MEADOWS, Mr. TIPTON, Mr. GRIFFITH, and Mrs. BROOKS of Indiana):

H.R. 301. A bill making appropriations for Federal employees working during the Government shutdown beginning on or about December 22, 2018, and for other purposes; to the Committee on Appropriations.

By Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself, Mr. SERRANO, Mr. DUFFY, and Mr. FITZPATRICK):

H.R. 302. A bill to amend the Internal Revenue Code of 1986 to provide equitable treatment for residents of Puerto Rico with respect to the refundable portion of the child tax credit and to provide the same treatment to families in Puerto Rico with one child or two children that is currently provided to island families with three or more children; to the Committee on Ways and Means.

By Mr. BILIRAKIS (for himself and Ms. GABBARD):

H.R. 303. A bill to amend title 10, United States Code, to permit additional retired members of the Armed Forces who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or combat-related special compensation; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mrs. KIRKPATRICK, Mrs. LESKO, Mr. SCHWEIKERT, Mr. STANTON, Mr. BIGGS, and Mr. GALLEGO):

H.R. 304. A bill to authorize the Secretary of the Interior to convey certain land to La Paz County, Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. HICE of Georgia (for himself, Mr. CRAWFORD, Mr. DUNCAN, Mr. GROTHMAN, Mr. JOHNSON of Ohio, Mr. JONES, Mr. KING of Iowa, Mr. LATTA, Mr. LONG, Mr. MEADOWS, Mr. MOONEY of West Virginia, Mr. NORMAN, Mr. OLSON, Mr. WITTMAN, Mr. ALLEN, and Mr. AUSTIN SCOTT of Georgia):

H.R. 305. A bill to provide that human life shall be deemed to begin with fertilization; to the Committee on the Judiciary.

By Mr. HICE of Georgia:

H.R. 306. A bill to direct the Secretary of the Interior to conduct a special resource study of the site of the Kettle Creek Battlefield in Wilkes County, Georgia, and adjacent property, and for other purposes; to the Committee on Natural Resources.

By Mr. HICE of Georgia (for himself, Mr. ABRAHAM, Mr. BISHOP of Georgia, Mr. CARTER of Georgia, Mr. CARTWRIGHT, Mr. COLE, Mr. COOK, Mr. FITZPATRICK, Mr. FORTENBERRY, Mr. GALLEGO, Mr. HARRIS, Mr. HUNTER, Mr. KILMER, Mr. KIND, Ms. LOFGREN, Mr. LONG, Mr. LOUDERMILK, Mr. MCEACHIN, Mr. SCOTT of Virginia, Mr. SIRES, Ms. STEFANIK, Mr. TONKO, Mr. WITTMAN, Mr. KATKO, and Mr. COLLINS of New York):

H.R. 307. A bill to provide for partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance the visitor experience at nationally significant battlefields of the American Revolution, War of 1812, and Civil War, and for other purposes; to the Committee on Natural Resources.

By Mr. HICE of Georgia:

H.R. 308. A bill to redesignate Gravelly Point Park, located along the George Washington Memorial Parkway in Arlington County, Virginia, as the Nancy Reagan Memorial Park, and for other purposes; to the Committee on Natural Resources.

By Mr. HUFFMAN (for himself, Mr. CARBAJAL, Ms. BARRAGÁN, Mr. KEATING, Mr. QUIGLEY, Ms. LEE of California, Mr. CARTWRIGHT, Mr. SOTO, Mr. TONKO, Mr. WELCH, Mr. LOWENTHAL, Mr. DESAULNIER, Ms. PINGREE, Mr. MCEACHIN, and Ms. BONAMICI):

H.R. 309. A bill to prohibit drilling in the Arctic Ocean; to the Committee on Natural Resources.

By Mr. HUFFMAN (for himself, Mr. SWALWELL of California, Mr. TAKANO, Mr. DESAULNIER, Mr. LEVIN of California, Ms. ROYBAL-ALLARD, Mr. DEFAZIO, Ms. DELBENE, Mr. SCHRADER, Mr. KHANNA, Ms. BARRAGÁN, Mr. KILMER, Mr. ROUDA, Mr. GARAMENDI, Mr. SMITH of Washington, Mr. LOWENTHAL, Ms. ESHOO, and Ms. BONAMICI):

H.R. 310. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington; to the Committee on Natural Resources.

By Mr. JONES:

H.R. 311. A bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps; to the Committee on Armed Services.

By Mr. KEATING (for himself, Mr. KENNEDY, Mr. YOUNG, Mr. GRIJALVA, Mr. LAMALFA, Mr. GALLEGO, Mr. MCCLINTOCK, and Mr. COLE):

H.R. 312. A bill to reaffirm the Mashpee Wampanoag Tribe reservation, and for other purposes; to the Committee on Natural Resources.

By Mr. KEATING:

H.R. 313. A bill to authorize the Secretary of the Interior to carry out a land exchange involving lands within the boundaries of the Cape Cod National Seashore, and for other purposes; to the Committee on Natural Resources.

By Mr. KINZINGER (for himself, Mrs. BUSTOS, Mr. BOST, Mr. RODNEY DAVIS of Illinois, Ms. KELLY of Illinois, Mr. SHIMKUS, Mr. RUSH, Mr. DANNY K. DAVIS of Illinois, Mr. LAHOOD, Mr. LIPINSKI, Mr. FOSTER, Ms. SCHAKOWSKY, Mr. KRISHNAMOORTHI, and Mr. CASTEN of Illinois):

H.R. 314. A bill to include Livingston County, the city of Jonesboro in Union County, and the city of Freeport in Stephenson County, Illinois, to the Lincoln National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. LAHOOD:

H.R. 315. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to authorize partnerships between States and nongovernmental entities for the purpose of reclaiming and restoring land and water resources adversely affected by coal mining activities before August 3, 1977, and for other purposes; to the Committee on Natural Resources.

By Mr. LAMALFA (for himself, Mr. O'HALLERAN, and Mr. SIMPSON):

H.R. 316. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to issue permits for recreation services on lands managed by Federal agencies, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMALFA (for himself and Mr. CARBAJAL):

H.R. 317. A bill to reaffirm the action of the Secretary of the Interior to take land into trust for the benefit of the Santa Ynez Band of Chumash Mission Indians, and for other purposes; to the Committee on Natural Resources.

By Mr. LAMBORN (for himself and Mr. BROWN of Maryland):

H.R. 318. A bill to reauthorize the National Geologic Mapping Act of 1992; to the Committee on Natural Resources.

By Mr. LANGEVIN (for himself, Mr. COURTNEY, and Mr. CICILLINE):

H.R. 319. A bill to amend the Wild and Scenic Rivers Act to designate certain river segments within the Wood-Pawcatuck watershed as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Ms. LEE of California:

H.R. 320. A bill to expand and enhance existing adult day programs for younger people with neurological diseases or conditions (such as multiple sclerosis, Parkinson's disease, traumatic brain injury, or other similar diseases or conditions) to support and improve access to respite services for family caregivers who are taking care of such people, and for other purposes; to the Committee on Energy and Commerce.

By Ms. LEE of California:

H.R. 321. A bill to amend the Public Health Service Act to create a National Neuromyelitis Optica Consortium to provide grants and coordinate research with respect to the causes of, and risk factors associated with, neuromyelitis optica, and for other purposes; to the Committee on Energy and Commerce.

By Ms. LEE of California (for herself and Mr. GARAMENDI):

H.R. 322. A bill to amend the Internal Revenue Code of 1986 to provide the work opportunity tax credit with respect to the hiring of veterans in the field of renewable energy; to the Committee on Ways and Means.

By Ms. LEE of California (for herself, Ms. WASSERMAN SCHULTZ, and Ms. WILSON of Florida):

H.R. 323. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for expenses for household and elder care services necessary for gainful employment; to the Committee on Ways and Means.

By Ms. LEE of California:

H.R. 324. A bill to prohibit monetary payments by the Federal Government to employees, officers, and elected officials of foreign countries for purposes of bribery, coercion, or any activity that is illegal or undermines the rule of law or corrupts a public officer or the office such officer represents, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California (for herself, Mr. CONNOLLY, Mrs. DINGELL, Mr. GARAMENDI, Ms. NORTON, Ms. MCCOLLUM, Mr. POCAN, Mrs. RADEWAGEN, Mr. SOTO, Mr. MCGOVERN, Mr. LOEBSACK, and Mr. HASTINGS):

H.R. 325. A bill to provide for the issuance of the Peace Corps Semipostal Stamp; to the Committee on Oversight and Reform, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California (for herself, Mr. LANGEVIN, Mrs. DINGELL, Mr. SOTO, and Mr. THOMPSON of California):

H.R. 326. A bill to direct the Secretary of State, the Secretary of Health and Human Services, and the Secretary of Veterans Affairs to provide assistance for individuals affected by exposure to Agent Orange, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Energy and Commerce, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California:

H.R. 327. A bill to prohibit entities from requiring individuals to submit to arbitration for disputes arising from a security breach, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TED LIEU of California (for himself and Mr. YOHO):

H.R. 328. A bill to require the Secretary of State to design and establish a Vulnerability Disclosure Process (VDP) to improve Department of State cybersecurity and a bug bounty program to identify and report vulnerabilities of internet-facing information technology of the Department of State, and for other purposes; to the Committee on Foreign Affairs.

By Mr. TED LIEU of California:

H.R. 329. A bill to amend title 18, United States Code, to provide a criminal penalty for certain Federal officers and employees using their public office for private gain, and for other purposes; to the Committee on the Judiciary.

By Mr. TED LIEU of California (for himself, Mr. GOMEZ, Ms. LEE of California, Ms. DELAURO, and Ms. NORTON):

H.R. 330. A bill to reduce greenhouse gas emissions and protect the climate; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California:

H.R. 331. A bill to direct the Federal Trade Commission to review and potentially revise its standards for safeguarding customer information to ensure that such standards require certain consumer reporting agencies and service providers of such agencies to maintain sufficient safeguards against cyber attacks and related threats, to provide for additional authority to enforce such standards with respect to such agencies and providers, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California (for himself and Mr. MCGOVERN):

H.R. 332. A bill to modify the expedited procedures in the House of Representatives under section 36 of the Arms Export Control Act with respect to consideration of joint resolutions prohibiting proposed sales of defense articles or services, prohibiting proposed licenses for exports of defense articles or services, and prohibiting approval of United States commercial technical assistance or manufacturing licensing agreements; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Georgia:

H.R. 333. A bill to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability rated less than 50 percent to receive concurrent payment of both retired pay and veterans' disability compensation, to extend eligibility for concurrent receipt to chapter 61 disability retirees with less than 20 years of service, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California (for himself, Mr. CARTWRIGHT, Ms. KUSTER of New Hampshire, and Mrs. TORRES of California):

H.R. 334. A bill to increase cybersecurity education and job growth, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Ways and Means, Education and Labor, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAST:

H.R. 335. A bill to require the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia to develop a plan for reducing, mitigating, and controlling harmful algal blooms and hypoxia in South Florida, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL (for himself, Mr. MCHENRY, and Mr. HURD of Texas):

H.R. 336. A bill to make improvements to certain defense and security assistance provisions and to authorize theappropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Financial Services, Science, Space, and Technology, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCEACHIN (for himself, Mr. JONES, Mrs. LURIA, Mr. PRICE of North Carolina, Mr. CONNOLLY, Mr. SCOTT of Virginia, and Mr. BEYER):

H.R. 337. A bill to amend the Outer Continental Shelf Lands Act to withdraw the outer Continental Shelf in the Mid-Atlantic planning area from disposition, and for other purposes; to the Committee on Natural Resources.

By Mr. MEADOWS:

H.R. 338. A bill to allow Federal employees excepted from furlough during the lapse in appropriations beginning on or around December 22, 2018, to make withdrawals from their Thrift Savings Plan accounts, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON (for herself, Mr. KHANNA, Mr. BEYER, Mr. RASKIN, Mr. CONNOLLY, Ms. PRESSLEY, Ms. WEXTON, Mr. TRONE, Ms. BONAMICI, Mr. POCAN, Ms. MOORE, Mrs. TRAHAN, Ms. MENG, Ms. SCHAKOWSKY, Mrs. TORRES of California, and Ms. OMAR):

H.R. 339. A bill to provide for the compensation of Federal contractor employees that may be placed on unpaid leave as a result of the Federal Government shutdown, and for other purposes; to the Committee on Oversight and Reform.

By Mr. NUNES:

H.R. 340. A bill to authorize the conveyance of and remove the reversionary interest of the United States in certain lands in the City of Tulare, California; to the Committee on Natural Resources.

By Mr. PALLONE (for himself, Mr. NORCROSS, Mr. SIRES, Mrs. DEMINGS, Ms. NORTON, Mr. MCEACHIN, Mr. SARBANES, Mr. DEUTCH, Mr. LOWENTHAL, Ms. WILSON of Florida, Mr. CARBAJAL, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. PASCRELL, Ms. CLARK of Massachusetts, Mr. CUNNINGHAM, Ms. SHALALA, Mr. MCGOVERN, Mr. MALINOWSKI, Ms. WASSERMAN SCHULTZ, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mr. SCOTT of Virginia, Mrs. LURIA, Mrs. DINGELL, Mr. SERRANO, Mr. VAN DREW, Mr. PAYNE, Mr. LIPINSKI, Ms. BONAMICI, Ms. CASTOR of Florida, Mr. PANETTA, Mr. HIGGINS of New York, Mr. GOTTHEIMER, Mr. KIM, Mr. RUPPERSBERGER, Mr. CICILLINE, Ms. ADAMS, Mr. THOMPSON of California, Ms. SHERRILL, Mr. KEATING, Mr. ROONEY of Florida, Mr. COHEN, Mr. SMITH of New Jersey, Ms. OMAR, and Mr. BEYER):

H.R. 341. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf in the Mid-Atlantic, South Atlantic, North Atlantic, Straits of Florida, and Eastern Gulf of Mexico planning areas; to the Committee on Natural Resources.

By Mr. POSEY:

H.R. 342. A bill to improve mapping under the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. RATCLIFFE:

H.R. 343. A bill to require the Secretary of Agriculture to transfer certain National Forest System land in the State of Texas; to the Committee on Agriculture.

By Mr. ROGERS of Alabama (for himself and Mr. LOEBSACK):

H.R. 344. A bill to require the Secretary of Defense to develop and implement a plan to provide chiropractic health care services for certain covered beneficiaries as part of the TRICARE program; to the Committee on Armed Services.

By Mr. SOTO:

H.R. 345. A bill to support programs for mosquito-borne and other vector-borne disease surveillance and control; to the Committee on Energy and Commerce.

By Mr. THORNBERRY (for himself, Mr. COLE, Mr. CARTER of Texas, Mr. BRADY, and Mr. CONAWAY):

H.R. 346. A bill to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes; to the Committee on Natural Resources.

By Mr. TIPTON (for himself and Ms. DEGETTE):

H.R. 347. A bill to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado; to the Committee on Energy and Commerce.

By Mr. TIPTON:

H.R. 348. A bill to designate certain mountain peaks in the State of Colorado as ''Fowler Peak'' and ''Boskoff Peak''; to the Committee on Natural Resources.

By Ms. TITUS:

H.R. 349. A bill to designate a peak in the State of Nevada as Maude Frazier Mountain, and for other purposes; to the Committee on Natural Resources.

By Mr. VAN DREW:

H.R. 350. A bill making continuing appropriations for the Coast Guard; to the Committee on Appropriations.

By Mr. YOHO (for himself, Mr. JONES, and Mr. DUNN):

H.R. 351. A bill to direct the Secretary of Defense to carry out a pilot program to lend Department of Defense farm equipment to eligible farmers, and for other purposes; to the Committee on Armed Services.

By Mr. YOHO (for himself, Mr. WEBER of Texas, Mr. BABIN, Mr. DESJARLAIS, and Mr. GIBBS):

H.R. 352. A bill to remove penalties for health insurers under the Patient Protection and Affordable Care Act and Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce.

By Mr. YOHO (for himself, Mr. MCCAUL, and Mr. ENGEL):

H.R. 353. A bill to direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes; to the Committee on Foreign Affairs.

By Mr. YOHO:

H.R. 354. A bill to amend title 5, United States Code, to provide agency heads with additional authority to discipline Federal employees, and for other purposes; to the Committee on Oversight and Reform.

By Mr. YOHO:

H.R. 355. A bill to amend title 5, United States Code, to extend the basis for the denial of retirement credit, for service as a Member of Congress, to include conviction of any felony under Federal or State law, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHABOT (for himself, Mr. HIGGINS of Louisiana, Mr. KING of Iowa, Mr. DAVID P. ROE of Tennessee, Mr. RICE of South Carolina, Mr. GUTHRIE, Mr. OLSON, Mr. BACON, Mr. GRIFFITH, Mr. TURNER, Mr. SIMPSON, Mr. CONAWAY, Mr. FLORES, Mr. CALVERT, Mr. LATTA, Mr. HUDSON, Mr. PALAZZO, Mr. EMMER, Mr. COMER, Mr. ALLEN, Mr. ABRAHAM, Mr. ARRINGTON, Mr. SMUCKER, and Mr. KUSTOFF of Tennessee):

H.J. Res. 22. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Ms. LEE of California:

H. Con. Res. 3. Concurrent resolution expressing the sense of Congress that the United States should provide, on an annual basis, an amount equal to at least one percent of United States gross domestic product for nonmilitary foreign assistance programs; to the Committee on Foreign Affairs.

By Mr. JEFFRIES:

H. Res. 26. A resolution electing Members to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. BRENDAN F. BOYLE of Pennsylvania (for himself, Mr. BILIRAKIS, and Ms. BONAMICI):

H. Res. 27. A resolution expressing the sense of the House that more should be done to instill Holocaust education in school curricula around the country; to the Committee on Education and Labor.

By Mr. COLE:

H. Res. 29. A resolution honoring the 150th anniversary of Fort Sill in Lawton, Oklahoma; to the Committee on Armed Services.

By Ms. LOFGREN (for herself and Mr. RODNEY DAVIS of Illinois):

H. Res. 30. A resolution requiring each Member, officer, and employee of the House of Representatives to complete a program of training in workplace rights and responsibilities each session of each Congress, and for other purposes; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XII,

1. The SPEAKER presented a memorial of the Senate of the State of Ohio, relative to Senate Concurrent Resolution Number 21, urging the Congress of the United States to enact bills advancing the development of an Appalachian storage hub; which was referred to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. THOMPSON of California:

H.R. 8.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. QUIGLEY:

H.R. 264.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states:

''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .''

In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides:

''The Congress shall have the Power . . . to pay the Debts and provide for the common

Defence and general Welfare of the United States . . .''

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. BISHOP of Georgia:

H.R. 265.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states:

''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .''

In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides:

''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Ms. McCOLLUM:

H.R. 266.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states:

''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .''

In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides:

''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. PRICE of North Carolina:

H.R. 267.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states:

''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .''

In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides:

''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mrs. LOWEY:

H.R. 268.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states:

''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .''

In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides:

''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Ms. ESHOO:

H.R. 269.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. O'HALLERAN:

H.R. 270.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. BROOKS of Alabama:

H.R. 271.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the Constitution

By Mr. KING of Iowa:

H.R. 272.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Congress' powers to regulate commerce with foreign nations, and among the several states, and with the Indian Tribes under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. ESHOO:

H.R. 273.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, clause 1 of the Constitution.

By Mr. GOSAR:

H.R. 274.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (the Property Clause). Under this clause, Congress has the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States. By virtue of this enumerated power, Congress has governing authority over the lands, territories, or other property of the United States—and with this authority Congress is vested with the power to all owners in fee, the ability to sell, lease, dispose, exchange, convey, or simply preserve land. The Supreme Court has described this enumerated grant as one ''without limitation'' Kleppe v New Mexico, 426 U.S. 529, 542–543 (1976) (''And while the furthest reaches of the power granted by the Property Clause have not been definitely resolved, we have repeatedly observed that the power over the public land thus entrusted to Congress is without limitation.'') The exchange codified by this legislation is thus constitutional.

By Mr. WELCH:

H.R. 275.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. TITUS:

H.R. 276.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. VELÁZQUEZ:

H.R. 277.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

''The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .''

By Mr. NEWHOUSE:

H.R. 278.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. CARBAJAL:

H.R. 279.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mrs. BEATTY:

H.R. 280.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mrs. BEATTY:

H.R. 281.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mrs. BEATTY:

H.R. 282.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. BISHOP of Georgia:

H.R. 283.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—Congress shall have power ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

Article IV, Section 3—''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . . .''

By Ms. BROWNLEY of California:

H.R. 284.

Congress has the power to enact this legislation pursuant to the following:

Amendment XVI

By Ms. BROWNLEY of California:

H.R. 285.

Congress has the power to enact this legislation pursuant to the following:

Amendment XVI

By Ms. CASTOR of Florida:

H.R. 286.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the U.S. Constitution

By Mr. CICILLINE:

H.R. 287.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the Constitution of the United States.

By Mr. COLE:

H.R. 288.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article IV, Section 3, Clause 2 which grants Congress the power to make all needful Rules and Regulations respecting . . . Property belonging to the United States.

By Mr. COLE:

H.R. 289.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. COLE:

H.R. 290.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. CUNNINGHAM:

H.R. 291.

Congress has the power to enact this legislation pursuant to the following:

''This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.''

By Mr. CURTIS:

H.R. 292.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8 of the U.S. Constitution

By Ms. DELAURO:

H.R. 293.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution, Article I Section 8

By Ms. ESHOO:

H.R. 294.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section IV, clause 1 of the Constitution

By Mr. FITZPATRICK:

H.R. 295.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 3

By Ms. FOXX of North Carolina:

H.R. 296.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution; whereby the Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States. Furthermore, this bill makes specific changes to existing law, in accordance with the Fourteenth Amendment, Section 5, which states that ''No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdicition the equal protection of the laws

By Mr. GIANFORTE:

H.R. 297.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. GIANFORTE:

H.R. 298.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 7, Clause 9.

By Mr. TAKANO:

H.R. 299.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article 1 of the Constitution.

By Ms. FOXX of North Carolina:

H.R. 300.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution, and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GIBBS:

H.R. 301.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 section 9 of article 1 of the Constitution of the United States which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.'', ,

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 302.

Congress has the power to enact this legislation pursuant to the following:

The Congress has the power to enact this legislation pursuant to Article I, Section 8, Clauses 1 and 18 of the U.S. Constitution, which provide as follows: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; [and . . .]

To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BILIRAKIS:

H.R. 303.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 7 of the Constitution of the United States.

Article I, section 8 of the United State Constitution, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and provide for organizing, arming, and disciplining the militia.

By Mr. GOSAR:

H.R. 304.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 (the Property Clause). Under this clause, Congress has the power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States. By virtue of this enumerated power, Congress has governing authority over the lands, territories, or other property of the United States- and with this authority Congress is vested with the power to all owners in fee, the ability to sell, lease, dispose, exchange, convey, or simply preserve land. The Supreme Court has described this enumerated grant as one ''without limitation'' Kleppe v New Mexico, 426 U.S. 529, 542–543 (1976) (''And while the furthest reaches of the power granted by the Property Clause have not been definitely resolved, we have repeatedly observed that the power over the public land thus entrusted to Congress is without limitation.'') The exchange codified by this legislation is thus constitutional.

By Mr. HICE of Georgia:

H.R. 305.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 that states that Congress shall have the Power ''To make all Laws which shall be necessary for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.''

Additionally, Section 1 of the XIV Amendment states,''. . . nor shall any State deprive any person of life, liberty, or property, without due process of law. . .'' and under Section 5 of the XIV Amendment, ''The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.''

By Mr. HICE of Georgia:

H.R. 306.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2, which states: ''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . .''

By Mr. HICE of Georgia:

H.R. 307.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. HICE of Georgia:

H.R. 308.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2, which states: ''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . .''

By Mr. HUFFMAN:

H.R. 309.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section III, Clause II: ''The Congress shall have power to dispose of and make all needful rules and regulations respecting the Territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

By Mr. HUFFMAN:

H.R. 310.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section III, Clause II: The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

By Mr. JONES:

H.R. 311.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. KEATING:

H.R. 312.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. KEATING:

H.R. 313.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. KINZINGER:

H.R. 314.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. LAHOOD:

H.R. 315.

Congress has the power to enact this legislation pursuant to the following:

ARTICLE I, SECTION 8, CLAUSE 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LAMALFA:

H.R. 316.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. LAMALFA:

H.R. 317.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution provides Congress with the authority to regulate commerce with Indians in the United States.

By Mr. LAMBORN:

H.R. 318.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution

By Mr. LANGEVIN:

H.R. 319.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 and Article IV, section 3

By Ms. LEE of California:

H.R. 320.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 321.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 322.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8,

By Ms. LEE of California:

H.R. 323.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 324.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. LEE of California:

H.R. 325.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. LEE of California:

H.R. 326.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. TED LIEU of California:

H.R. 327.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII

By Mr. TED LIEU of California:

H.R. 328.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. TED LIEU of California:

H.R. 329.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIII

By Mr. TED LIEU of California:

H.R. 330.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3 of the Constitution

Article 1, Section 8, clause 1 of the Constitution

By Mr. TED LIEU of California:

H.R. 331.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 provides Congress with the power to ''regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. TED LIEU of California:

H.R. 332.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BISHOP of Georgia:

H.R. 333.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sect. 8, Clause 1: to provide for the common defense and general welfare.

Art. I, Sect. 8, Clause 12: to raise and support Armies.

Art. I, Sect. 8, Clause 14: To make Rules for the Government and Regulation of the land and naval Forces.

Art. I, Sect. 8, Clause 16: To provide for organizing, arming, and discipling, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress.

Art. I, Sect. 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United Statesm or in any Department or Officer thereof

By Mr. TED LIEU of California:

H.R. 334.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

By Mr. MAST:

H.R. 335.

Congress has the power to enact this legislation pursuant to the following:

The Necessary and Proper Clause in Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. MCCAUL:

H.R. 336.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. MCEACHIN:

H.R. 337.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MEADOWS:

H.R. 338.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 states ''The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department of Officer thereof.''

By Ms. NORTON:

H.R. 339.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: clause 7 of section 9 of article I of the Constitution.

By Mr. NUNES:

H.R. 340.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution of the United States.

By Mr. PALLONE:

H.R. 341.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. POSEY:

H.R. 342.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. RATCLIFFE:

H.R. 343.

Congress has the power to enact this legislation pursuant to the following:

Article 4, Section 3, Clause 2, relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

By Mr. ROGERS of Alabama:

H.R. 344.

Congress has the power to enact this legislation pursuant to the following:

The power of Congress to make rues to provide for the common defenes, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. SOTO:

H.R. 345.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution.

By Mr. THORNBERRY:

H.R. 346.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 and Article IV, Section 3 of the United States Constitution.

By Mr. TIPTON:

H.R. 347.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. TIPTON:

H.R. 348.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Ms. TITUS:

H.R. 349.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution.

By Mr. VAN DREW:

H.R. 350.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of Section 9 of Article 1 of the Constitution of the United States.

Also, Clause 1 of Section 8 of Article 1 of the U.S. Constitution.

By Mr. YOHO:

H.R. 351.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. YOHO:

H.R. 352.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. YOHO:

H.R. 353.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. YOHO:

H.R. 354.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. YOHO:

H.R. 355.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. CHABOT:

H.J. Res. 22.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this joint resolution is derived from Article V of the Constitution, which grants Congress the authority, whenever two thirds of both chambers deem it necessary, to propose amendments to the Constitution of the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. BURGESS, Mr. JONES, and Mr. RATCLIFFE.

H.R. 31: Ms. WATERS, Mr. FOSTER, Mr. MALINOWSKI, Mr. LOWENTHAL, Ms. TITUS, Mrs. TORRES of California, Mr. BARR, Mr. BILIRAKIS, and Mr. CARTWRIGHT.

H.R. 35: Mr. BISHOP of Georgia, Mr. MEEKS, Mr. BLUMENAUER, Mr. HASTINGS, Ms. SCHAKOWSKY, Ms. NORTON, Mr. VELA, Mr. COHEN, Mr. EVANS, Mr. CUMMINGS, Mrs. NAPOLITANO, Mr. KHANNA, Ms. BASS, Mr. RUPPERSBERGER, Mr. CARSON of Indiana, Mr. FOSTER, Mr. CARBAJAL, Mr. SERRANO, Mr. SOTO, Mr. LAWSON of Florida, Ms. VELÁZQUEZ, Mr. BROWN of Maryland, Mr. DANNY K. DAVIS of Illinois, Mr. CICILLINE, Mrs. BEATTY, Mr. THOMPSON of Mississippi, Mr. JOHNSON of Georgia, Mr. ESPAILLAT, Mr. SMITH of Washington, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CASTRO of Texas, Mr. CARTWRIGHT, Ms. JACKSON LEE, Mr. TED LIEU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. VARGAS, Ms. SPEIER, Mr. SCOTT of Virginia, Mr. SEAN PATRICK MALONEY of New York, Ms. TLAIB, Mr. BUTTERFIELD, Mr. MOULTON, Ms. KELLY of Illinois, Mr. CLAY, Mrs. WATSON COLEMAN, Mr. DEUTCH, Mrs. LAWRENCE, Mr. HIGGINS of New York, Mr. GREEN of Texas, Mr. SIRES, Mrs. CAROLYN B. MALONEY of New York, Mr. SCHNEIDER, Mr. LEWIS, Mr. PALLONE, Mr. COOPER, Mr. QUIGLEY, and Ms. BONAMICI.

H.R. 36: Mr. LIPINSKI, Ms. ESHOO, Mr. MEEKS, Mr. BISHOP of Georgia, Mr. VEASEY, Mr. LAWSON of Florida, Mr. HASTINGS, Mr. LEWIS, Mr. TAKANO, Ms. KELLY of Illinois, Ms. SEWELL of Alabama, Ms. CLARKE of New York, Mr. CARSON of Indiana, Ms. BONAMICI, Ms. SPEIER, Mrs. DEMINGS, Mr. CLEAVER, Mr. BEYER, Mr. DANNY K. DAVIS of Illinois, Mr. RICHMOND, Mr. BUTTERFIELD, Ms. NORTON, Mr. FITZPATRICK, Ms. WASSERMAN SCHULTZ, Mrs. DINGELL, and Mr. COHEN.

H.R. 38: Mr. ZELDIN, Mr. CRENSHAW, Mr. EMMER, Mr. ESTES, Mr. WALBERG, Mr. RODNEY DAVIS of Illinois, Mr. RATCLIFFE, Mr. WENSTRUP, Mr. BRADY, Mr. BARR, and Mr. RESCHENTHALER.

H.R. 51: Mr. TRONE, Mr. AGUILAR, Ms. TLAIB, Ms. HILL of California, Ms. WEXTON, Ms. HAALAND, Mr. KENNEDY, Mr. COX of California, Ms. UNDERWOOD, Ms. GARCIA of Texas, Mr. LEVIN of Michigan, and Ms. OMAR.

H.R. 66: Mr. LONG and Mr. DESAULNIER.

H.R. 67: Mr. SMITH of New Jersey, Mr. KILMER, Ms. DAVIDS of Kansas, Mrs. TRAHAN, Ms. HAALAND, Mrs. BUSTOS, Mrs. DAVIS of California, Mr. PERLMUTTER, Ms. WILSON of Florida, Ms. ESCOBAR, Mr. SARBANES, Mr. OLSON, Mr. JONES, Mr. LEVIN of California, and Ms. SCHRIER.

H.R. 70: Mrs. LESKO.

H.R. 74: Mr. BABIN, Mr. GOSAR, Mr. GROTHMAN, Mr. NORMAN, and Mr. PERRY.

H.R. 78: Mr. BABIN and Mr. GOSAR.

H.R. 80: Mr. GALLEGO, Mr. STANTON, Mr. O'HALLERAN, and Mr. SCHWEIKERT.

H.R. 85: Mr. BABIN, Mr. GOSAR, and Mr. NORMAN.

H.R. 88: Mr. GOSAR and Mr. WEBER of Texas.

H.R. 89: Mr. WEBSTER of Florida and Mrs. LESKO.

H.R. 92: Mr. KIND, Mr. COHEN, Mr. MCNERNEY, Mr. TAKANO, and Mr. HASTINGS.

H.R. 95: Mr. DEUTCH, Mr. PETERS, Ms. SCHAKOWSKY, and Ms. DEGETTE.

H.R. 113: Mr. FITZPATRICK.

H.R. 115: Mr. FITZPATRICK and Mr. SHERMAN.

H.R. 117: Mr. DESAULNIER and Ms. WILD.

H.R. 118: Ms. JOHNSON of Texas, Mr. POCAN, and Mr. DESAULNIER.

H.R. 120: Mrs. WATSON COLEMAN.

H.R. 125: Mr. SIRES, Ms. FUDGE, Mr. TONKO, Ms. PINGREE, Ms. JOHNSON of Texas, Mr. FOSTER, Mr. JOHNSON of Georgia, Ms. MCCOLLUM, Mr. ESPAILLAT, and Mr. DAVID SCOTT of Georgia.

H.R. 128: Mr. HARDER of California.

H.R. 129: Mr. BRINDISI, Mr. SCHNEIDER, Mr. BERA, Mr. HIMES, Mr. RODNEY DAVIS of Illinois, and Mr. KIND.

H.R. 132: Mr. VELA.

H.R. 133: Mr. SHERMAN and Mr. CICILLINE.

H.R. 139: Mr. LAHOOD.

H.R. 140: Mr. JONES, Mr. MARCHANT, and Mr. HUDSON.

H.R. 141: Ms. NORTON, Mr. FITZPATRICK, Mr. AGUILAR, Mr. SWALWELL of California, and Ms. SÁNCHEZ.

H.R. 144: Mr. HARRIS, Mr. POSEY, and Mr. JONES.

H.R. 147: Mr. JONES.

H.R. 152: Mr. MEADOWS.

H.R. 153: Mr. JONES.

H.R. 154: Mr. AGUILAR, Mr. DEFAZIO, and Ms. MCCOLLUM.

H.R. 155: Mr. EMMER, Mr. ESTES, Mr. RATCLIFFE, Mr. MITCHELL, Mr. MEADOWS, Mr. HARRIS, Mr. HUDSON, Mr. HICE of Georgia, Mr. DAVIDSON of Ohio, Mr. NORMAN, Mr. BIGGS, Mr. KUSTOFF of Tennessee, Mr. RESCHENTHALER, and Mr. SMITH of Missouri.

H.R. 167: Ms. CLARKE of New York, Mr. JOHNSON of Georgia, Ms. NORTON, Mr. KHANNA, Mr. LYNCH, Mr. CISNEROS, Mr. DAVID SCOTT of Georgia, Mrs. NAPOLITANO, Mr. ROSE of New York, Ms. MCCOLLUM, Mr. GOMEZ, and Mr. CÁRDENAS.

H.R. 169: Ms. SCHAKOWSKY.

H.R. 180: Mr. SIRES.

H.R. 184: Mr. COLE.

H.R. 185: Mr. BROOKS of Alabama and Mr. RATCLIFFE.

H.R. 192: Mr. FITZPATRICK, Mr. SHERMAN, and Mr. SCHIFF.

H.R. 195: Mr. RUIZ and Ms. CLARKE of New York.

H.R. 201: Mr. HIGGINS of New York.

H.R. 211: Mr. PETERS, Ms. BONAMICI, Mrs. LEE of Nevada, Mr. CISNEROS, and Mr. HARDER of California.

H.R. 214: Mr. FULCHER.

H.R. 221: Mr. DEUTCH, Mr. FITZPATRICK, Mr. BILIRAKIS, Mr. HURD of Texas, Mr. DESAULNIER, Mr. SHERMAN, Mr. COHEN, Mr. HASTINGS, Mr. ROSE of New York, Mr. LIPINSKI, Mr. SCHWEIKERT, Mr. RUPPERSBERGER, Mr. BEYER, Ms. NORTON, Ms. MENG, Ms. SCHAKOWSKY, Ms. TITUS, Mr. FOSTER, Mr. CICILLINE, Mr. FLEISCHMANN, Mr. SUOZZI, Mrs. NAPOLITANO, Mr. WEBER of Texas, Ms. FRANKEL, Mr. VELA, Miss RICE of New York, Mr. HIMES, Mr. MEADOWS, Mr. NORCROSS, Ms. VELÁZQUEZ, Mr. SWALWELL of California, Mr. CHABOT, Ms. WASSERMAN SCHULTZ, Mr. KHANNA, Mr. DESJARLAIS, Mr. SIRES, Mr. TED LIEU of California, Mrs. LAWRENCE, Mr. MORELLE, Mr. GOTTHEIMER, Mr. GAETZ, Mr. MOOLENAAR, Ms. KELLY of Illinois, Mr. CONNOLLY, Mr. KILMER, Mr. COURTNEY, Ms. BROWNLEY of California, Mr. JOYCE of Ohio, Mr. CARBAJAL, Mr. HIGGINS of New York, Ms. OMAR, Ms. ESHOO, Mr. SEAN PATRICK MALONEY of New York, Mr. STEWART, Mr. BROWN of Maryland, Mrs. TORRES of California, Mr. HARDER of California, Mr. KUSTOFF of Tennessee, and Mr. GUTHRIE.

H.R. 226: Mr. THOMPSON of Mississippi and Mr. HARDER of California.

H.R. 227: Mr. HARDER of California.

H.R. 230: Mr. SMITH of Washington.

H.R. 242: Mrs. NAPOLITANO, Mrs. WATSON COLEMAN, Mr. TAKANO, Ms. GABBARD, Ms. DELAURO, Ms. PRESSLEY, Ms. OMAR, Mr. NEGUSE, Ms. TLAIB, Mrs. CAROLYN B. MALONEY of New York, Ms. BARRAGÁN, Mr. BLUMENAUER, Mr. GARCÍA of Illinois, and Mr. LEWIS.

H.R. 256: Mr. BABIN, Mr. GAETZ, and Mr. JONES.

H.R. 257: Mr. ZELDIN and Miss RICE of New York.

H.J. Res. 2: Mrs. CAROLYN B. MALONEY of New York, Mrs. MURPHY, Miss RICE of New York, Mr. COOPER, Mr. HASTINGS, Mr. SARBANES, Mr. RUPPERSBERGER, Mr. COHEN, Mr. PRICE of North Carolina, Ms. MOORE, Mr. SWALWELL of California, Mr. SOTO, Mr. LANGEVIN, Mr. COURTNEY, Mr. SCHIFF, Mrs. NAPOLITANO, Mr. WELCH, Ms. BONAMICI, Mr. ESPAILLAT, Ms. NORTON, Mr. PETERS, Mr. SEAN PATRICK MALONEY of New York, Ms. KAPTUR, Mr. GARAMENDI, Mr. PASCRELL, Ms. MCCOLLUM, Mr. ROUDA, Mr. JOHNSON of Georgia, Mr. DEFAZIO, Mr. MORELLE, Mr. SCHNEIDER, Mr. HARDER of California, Mr. LAMB, Mr. SHERMAN, Mr. SIRES, Mr. O'HALLERAN, and Ms. CLARKE of New York.

H.J. Res. 8: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.J. Res. 18: Mr. HUIZENGA and Mr. BACON.

H.J. Res. 20: Mr. BIGGS, Mr. GIANFORTE, Mr. HOLLINGSWORTH, Mr. HUDSON, Mr. BACON, and Mr. GOODEN.

H. Res. 14: Ms. STEVENS, Ms. SEWELL of Alabama, Mr. HASTINGS, Mr. CARBAJAL, Mr. CISNEROS, Ms. DELAURO, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. GARCIA of Texas, Mrs. DINGELL, Mrs. FLETCHER, Ms. NORTON, Mr. COURTNEY, Mr. CUMMINGS, Ms. DELBENE, Mrs. NAPOLITANO, Mr. HARDER of California, Ms. WASSERMAN SCHULTZ, Ms. JOHNSON of Texas, Mr. DEFAZIO, and Ms. SPANBERGER.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. QUIGLEY

H.R. 264, making appropriations for financial services and general government for fiscal year 2019, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. BISHOP OF GEORGIA

H.R. 265, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for fiscal year 2019, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MS. MCCOLLUM

H.R. 266, making appropriations for the Department of the Interior, environment, and related agencies for fiscal year 2019, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. PRICE OF NORTH CAROLINA

H.R. 267, making appropriations for the Department of Transportation, and Housing and Urban Development, and related agencies for fiscal year 2019, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MRS. LOWEY

H.R. 268, making supplemental appropriations for fiscal year 2019, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.